



# ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ

ಅಧಿಕೃತವಾಗಿ ಪ್ರಕಟಿಸಲಾದುದು

ಸಂಪುಟ - ೧೫೮ Volume - 158	ಬೆಂಗಳೂರು, ಗುರುವಾರ, ೨೦, ಏಪ್ರಿಲ್, ೨೦೨೩ (ಚೈತ್ರ, ೩೦, ಶಕವರ್ಷ, ೧೯೪೫) BENGALURU, THURSDAY, 20, APRIL, 2023 (CHAITHRA, 30, SHAKAVARSHA, 1945)	ಸಂಚಿಕೆ ೭೯ Issue 79
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ಭಾಗ ೪

ಕೇಂದ್ರದ ವಿಧೇಯಕಗಳು ಮತ್ತು ಅವುಗಳ ಮೇಲೆ ಪರಿಶೀಲನಾ ಸಮಿತಿಯ ವರದಿಗಳು,  
ಕೇಂದ್ರದ ಅಧಿನಿಯಮಗಳು ಮತ್ತು ಅಧ್ಯಾದೇಶಗಳು, ಕೇಂದ್ರ ಸರ್ಕಾರದವರು ಹೊರಡಿಸಿದ  
ಸಾಮಾನ್ಯ ಶಾಸನಬದ್ಧ ನಿಯಮಗಳು ಮತ್ತು ಶಾಸನಬದ್ಧ ಆದೇಶಗಳು ಮತ್ತು  
ರಾಷ್ಟ್ರಪತಿಯವರಿಂದ ರಚಿತವಾಗಿ ರಾಜ್ಯ ಸರ್ಕಾರದವರಿಂದ  
ಪುನಃ ಪ್ರಕಟವಾದ ಆದೇಶಗಳು

ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ  
ಅಧಿಸೂಚನೆ

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 06 ಕೇಶಾಪು 2023 ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 19.04.2023.

ದಿನಾಂಕ: 31.03.2023 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ  
Part-II-Section-1 ರಲ್ಲಿ ಪ್ರಕಟವಾದ THE FINANCE ACT, 2023 (No. 8 OF 2023)  
ಮತ್ತು ಸದರಿ ಅಧಿನಿಯಮಕ್ಕೆ ಸಂಬಂಧಿಸಿದ ದಿನಾಂಕ: 12.04.2023ರ ಭಾರತ  
ಸರ್ಕಾರದ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಪ್ರಕಟಿಸಲ್ಪಟ್ಟಿರುವ CORRIGENDA ಅನ್ನು ಸಾರ್ವಜನಿಕರ  
ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-



# भारत का राजपत्र The Gazette of India

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PART II — Section 1

प्राधिकार से प्रकाशित

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इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।  
Separate paging is given to this Part in order that it may be filed as a separate compilation.

## MINISTRY OF LAW AND JUSTICE (Legislative Department)

*New Delhi, the 31st March, 2023 / Chaitra 10, 1945 (Saka)*

The following Act of Parliament received the assent of the President on the 31st March, 2023 and is hereby published for general information:—

### THE FINANCE ACT, 2023 No. 8 OF 2023

[31st March, 2023.]

An Act to give effect to the financial proposals of the Central Government  
for the financial year 2023-2024.

BE it enacted by Parliament in the Seventy-fourth Year of the Republic of India as follows:—

#### CHAPTER I

##### PRELIMINARY

1. (1) This Act may be called the Finance Act, 2023.

Short title and  
commencement.

(2) Save as otherwise provided in this Act,—

(a) sections 2 to 127 shall come into force on the 1st day of April, 2023;

(b) sections 128 to 163 shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint.

#### CHAPTER II

##### RATES OF INCOME-TAX

2. (1) Subject to the provisions of sub-sections (2) and (3), for the assessment year commencing on the 1st day of April, 2023, income-tax shall be charged at the rates specified in Part I of the First Schedule and such tax shall be increased by a surcharge, for the purposes of the Union, calculated in each case in the manner provided therein.

Income-tax.

(2) In the cases to which Paragraph A of Part I of the First Schedule applies, where the assessee has, in the previous year, any net agricultural income exceeding five thousand rupees, in addition to total income, and the total income exceeds two lakh fifty thousand rupees, then,—

(a) the net agricultural income shall be taken into account, in the manner provided in clause (b) (that is to say, as if the net agricultural income were comprised in the total income after the first two lakh fifty thousand rupees of the total income but without being liable to tax), only for the purpose of charging income-tax in respect of the total income; and

(b) the income-tax chargeable shall be computed as follows:—

(i) the total income and the net agricultural income shall be aggregated and the amount of income-tax shall be determined in respect of the aggregate income at the rates specified in the said Paragraph A, as if such aggregate income were the total income;

(ii) the net agricultural income shall be increased by a sum of two lakh fifty thousand rupees, and the amount of income-tax shall be determined in respect of the net agricultural income as so increased at the rates specified in the said Paragraph A, as if the net agricultural income as so increased were the total income;

(iii) the amount of income-tax determined in accordance with sub-clause (i) shall be reduced by the amount of income-tax determined in accordance with sub-clause (ii) and the sum so arrived at shall be the income-tax in respect of the total income:

Provided that in the case of every individual, being a resident in India, who is of the age of sixty years or more but less than eighty years at any time during the previous year, referred to in item (II) of Paragraph A of Part I of the First Schedule, the provisions of this sub-section shall have effect as if for the words "two lakh fifty thousand rupees", the words "three lakh rupees" had been substituted:

Provided further that in the case of every individual, being a resident in India, who is of the age of eighty years or more at any time during the previous year, referred to in item (III) of Paragraph A of Part I of the First Schedule, the provisions of this sub-section shall have effect as if for the words "two lakh fifty thousand rupees", the words "five lakh rupees" had been substituted.

(3) In cases to which the provisions of Chapter XII or Chapter XII-A or section 115JB or section 115JC or Chapter XII-FA or Chapter XII-FB or sub-section (IA) of section 161 or section 164 or section 164A or section 167B of the Income-tax Act, 1961 (hereinafter referred to as the Income-tax Act) apply, the tax chargeable shall be determined as provided in that Chapter or that section, and with reference to the rates imposed by sub-section (I) or the rates as specified in that Chapter or section, as the case may be: 43 of 1961.

Provided that the amount of income-tax computed in accordance with the provisions of section 111A or section 112 or section 112A of the Income-tax Act shall be increased by a surcharge, for the purposes of the Union, as provided in Paragraph A, B, C, D or E, as the case may be, of Part I of the First Schedule, except in case of a domestic company whose income is chargeable to tax under section 115BAA or section 115BAB of the Income-tax Act or in case of co-operative society whose income is chargeable to tax under section 115BAD of the Income-tax Act:

Provided further that in respect of any income chargeable to tax under section 115A, 115AB, 115AC, 115ACA, 115AD, 115B, 115BA, 115BB, 115BBA, 115BBC, 115BBF, 115BBG, 115BBH, 115BBI, 115E, 115JB or 115JC of the Income-tax Act, the amount of income-tax

computed under this sub-section shall be increased by a surcharge, for the purposes of the Union, calculated,—

(a) in the case of every individual or Hindu undivided family or association of persons except in a case of an association of persons consisting of only companies as its members, or body of individuals, whether incorporated or not, or every artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-tax Act, not having any income under section 115AD of the Income-tax Act,—

(i) having a total income exceeding fifty lakh rupees but not exceeding one crore rupees, at the rate of ten per cent. of such income-tax;

(ii) having a total income exceeding one crore rupees, but not exceeding two crore rupees, at the rate of fifteen per cent. of such income-tax;

(iii) having a total income exceeding two crore rupees, but not exceeding five crore rupees, at the rate of twenty-five per cent. of such income-tax; and

(iv) having a total income exceeding five crore rupees, at the rate of thirty-seven per cent. of such income-tax;

(b) in the case of every individual or association of persons, except in a case of an association of persons consisting of only companies as its members or body of individuals, whether incorporated or not, or every artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-tax Act, having income under section 115AD of the Income-tax Act,—

(i) having a total income exceeding fifty lakh rupees but not exceeding one crore rupees, at the rate of ten per cent. of such income-tax;

(ii) having a total income exceeding one crore rupees, but not exceeding two crore rupees, at the rate of fifteen per cent. of such income-tax;

(iii) having a total income [excluding the income by way of dividend or income of the nature referred to in clause (b) of sub-section (1) of section 115AD of the Income-tax Act] exceeding two crore rupees but not exceeding five crore rupees, at the rate of twenty-five per cent. of such income-tax;

(iv) having a total income [excluding the income by way of dividend or income of the nature referred to in clause (b) of sub-section (1) of section 115AD of the Income-tax Act] exceeding five crore rupees, at the rate of thirty-seven per cent. of such income-tax; and

(v) having a total income [including the income by way of dividend or income of the nature referred to in clause (b) of sub-section (1) of section 115AD of the Income-tax Act] exceeding two crore rupees, but is not covered in sub-clauses (iii) and (iv), at the rate of fifteen per cent. of such income-tax;

Provided that in case where the total income includes any income by way of dividend or income chargeable under clause (b) of sub-section (1) of section 115AD of the Income-tax Act, the rate of surcharge on the income-tax calculated on that part of income shall not exceed fifteen per cent.;

(c) in the case of an association of persons consisting of only companies as its members,—

(i) at the rate of ten per cent. of such income-tax, where the total income exceeds fifty lakh rupees but does not exceed one crore rupees;

(ii) at the rate of fifteen per cent. of such income-tax, where the total income exceeds one crore rupees;

(d) in the case of every co-operative society except a co-operative society whose income is chargeable to tax under section 115BAD of the Income-tax Act,—

(i) at the rate of seven per cent. of such income-tax, where the total income exceeds one crore rupees but does not exceed ten crore rupees;



(ii) at the rate of twelve per cent. of such income-tax, where the total income exceeds ten crore rupees;

(e) in the case of every firm or local authority, at the rate of twelve per cent. of such income-tax, where the total income exceeds one crore rupees;

(f) in the case of every domestic company except such domestic company whose income is chargeable to tax under section 115BAA or section 115BAB of the Income-tax Act,—

(i) at the rate of seven per cent. of such income-tax, where the total income exceeds one crore rupees but does not exceed ten crore rupees;

(ii) at the rate of twelve per cent. of such income-tax, where the total income exceeds ten crore rupees;

(g) in the case of every company, other than a domestic company,—

(i) at the rate of two per cent. of such income-tax, where the total income exceeds one crore rupees but does not exceed ten crore rupees;

(ii) at the rate of five per cent. of such income-tax, where the total income exceeds ten crore rupees:

Provided also that in the case of persons mentioned in (a) and (b) above, having total income chargeable to tax under section 115JC of the Income-tax Act, and such income exceeds,—

(i) fifty lakh rupees but does not exceed one crore rupees, the total amount payable as income-tax and surcharge thereon shall not exceed the total amount payable as income-tax on a total income of fifty lakh rupees by more than the amount of income that exceeds fifty lakh rupees;

(ii) one crore rupees but does not exceed two crore rupees, the total amount payable as income-tax and surcharge thereon shall not exceed the total amount payable as income-tax and surcharge on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees;

(iii) two crore rupees but does not exceed five crore rupees, the total amount payable as income-tax and surcharge thereon shall not exceed the total amount payable as income-tax and surcharge on a total income of two crore rupees by more than the amount of income that exceeds two crore rupees;

(iv) five crore rupees, the total amount payable as income-tax and surcharge thereon shall not exceed the total amount payable as income-tax and surcharge on a total income of five crore rupees by more than the amount of income that exceeds five crore rupees:

Provided also that in the case of association of persons mentioned in (c) above, having total income chargeable to tax under section 115JC of the Income-tax Act exceeds,—

(i) fifty lakh rupees but does not exceed one crore rupees, the total amount payable as income-tax and surcharge thereon shall not exceed the total amount payable as income-tax on a total income of fifty lakh rupees by more than the amount of income that exceeds fifty lakh rupees;

(ii) one crore rupees, the total amount payable as income-tax and surcharge thereon shall not exceed the total amount payable as income-tax and surcharge on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees:

Provided also that in the case of a co-operative society mentioned in (d) above, having total income chargeable to tax under section 115JC of the Income-tax Act, and such income exceeds,—

(i) one crore rupees but does not exceed ten crore rupees, the total amount payable as income-tax and surcharge thereon shall not exceed the total amount payable as income-tax on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees;

(ii) ten crore rupees, the total amount payable as income-tax and surcharge thereon shall not exceed the total amount payable as income-tax and surcharge on a total income of ten crore rupees by more than the amount of income that exceeds ten crore rupees:

Provided also that in the case of persons mentioned in (e) above, having total income chargeable to tax under section 115JC of the Income-tax Act, and such income exceeds one crore rupees, the total amount payable as income-tax on such income and surcharge thereon shall not exceed the total amount payable as income-tax on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees:

Provided also that in the case of every company having total income chargeable to tax under section 115JB of the Income-tax Act, and such income exceeds one crore rupees but does not exceed ten crore rupees, the total amount payable as income-tax on such income and surcharge thereon, shall not exceed the total amount payable as income-tax on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees:

Provided also that in the case of every company having total income chargeable to tax under section 115JB of the Income-tax Act, and such income exceeds ten crore rupees, the total amount payable as income-tax on such income and surcharge thereon, shall not exceed the total amount payable as income-tax and surcharge on a total income of ten crore rupees by more than the amount of income that exceeds ten crore rupees:

Provided also that in respect of any income chargeable to tax under clause (i) of sub-section (1) of section 115BBE of the Income-tax Act, the amount of income-tax computed under this sub-section shall be increased by a surcharge, for the purposes of the Union, calculated at the rate of twenty-five per cent. of such income-tax:

Provided also that in case of every domestic company whose income is chargeable to tax under section 115BAA or section 115BAB of the Income-tax Act, the income-tax computed under this sub-section shall be increased by a surcharge, for the purposes of the Union, calculated at the rate of ten per cent. of such income-tax:

Provided also that in case of every individual or Hindu undivided family, whose income is chargeable to tax under section 115BAC of the Income-tax Act, the income-tax computed under this sub-section shall be increased by a surcharge, for the purposes of the Union, as provided in Paragraph A of Part I of the First Schedule:

Provided also that in case of every resident co-operative society, whose income is chargeable to tax under section 115BAD of the Income-tax Act, the income-tax computed under this sub-section shall be increased by a surcharge, for the purposes of the Union, calculated at the rate of ten per cent. of such income-tax.

(4) In cases in which tax has to be charged and paid under sub-section (2A) of section 92CE or section 115QA or section 115TD of the Income-tax Act, the tax shall be charged and paid at the rates as specified in those sections and shall be increased by a surcharge, for the purposes of the Union, calculated at the rate of twelve per cent. of such tax.

(5) In cases in which tax has to be deducted under sections 193, 194A, 194B, 194BA, 194BB, 194D, 194LBA, 194LBB, 194LBC and 195 of the Income-tax Act, at the rates in force, the deductions shall be made at the rates specified in Part II of the First Schedule and shall be increased by a surcharge, for the purposes of the Union, calculated in cases wherever prescribed, in the manner provided therein.

(6) In cases in which tax has to be deducted under sections 192A, 194, 194C, 194DA, 194E, 194EE, 194F, 194G, 194H, 194-I, 194-IA, 194-IB, 194-IC, 194J, 194LA, 194LB, 194LBA, 194LBB, 194LBC, 194LC, 194LD, 194K, 194M, 194N, 194-O, 194Q, 194R, 194S, 196A, 196B, 196C and 196D of the Income-tax Act, the deductions shall be made at the rates specified in those sections and shall be increased by a surcharge, for the purposes of the Union,—

(a) in the case of every individual or Hindu undivided family or association of persons, except in case of an association of persons consisting of only companies as its members, or body of individuals, whether incorporated or not, or every artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the

Income-tax Act, being a non-resident except in case of deduction on income by way of dividend under section 196D of the Income-tax Act, calculated,—

(i) at the rate of ten per cent. of such tax, where the income or the aggregate of such incomes paid or likely to be paid and subject to the deduction exceeds fifty lakh rupees but does not exceed one crore rupees;

(ii) at the rate of fifteen per cent. of such tax, where the income or the aggregate of such incomes paid or likely to be paid and subject to the deduction exceeds one crore rupees but does not exceed two crore rupees;

(iii) at the rate of twenty-five per cent. of such tax, where the income or the aggregate of such incomes paid or likely to be paid and subject to the deduction exceeds two crore rupees but does not exceed five crore rupees;

(iv) at the rate of thirty-seven per cent. of such tax, where the income or the aggregate of such incomes paid or likely to be paid and subject to the deduction exceeds five crore rupees:

Provided that where the income of such person is chargeable to tax under sub-section (1A) of section 115BAC of the Income-tax Act, the rate of surcharge shall not exceed twenty-five per cent.;

(b) in the case of every individual or Hindu undivided family or association of persons except in case of association of persons consisting of only companies as its members, or body of individuals, whether incorporated or not, or every artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-tax Act, being a non-resident, in case of deduction on income by way of dividend under section 196D of the Act, calculated,—

(i) at the rate of ten per cent. of such tax, where the income or the aggregate of such incomes paid or likely to be paid and subject to the deduction exceeds fifty lakh rupees but does not exceed one crore rupees;

(ii) at the rate of fifteen per cent. of such tax, where the income or the aggregate of such incomes paid or likely to be paid and subject to the deduction exceeds one crore rupees;

(c) in the case of an association of persons being a non-resident, and consisting of only companies as its members, calculated,—

(i) at the rate of ten per cent. of such tax, where the income or the aggregate of such incomes paid or likely to be paid and subject to the deduction exceeds fifty lakh rupees but does not exceed one crore rupees;

(ii) at the rate of fifteen per cent. of such tax, where the income or the aggregate of such incomes paid or likely to be paid and subject to the deduction exceeds one crore rupees;

(d) in the case of every co-operative society, being a non-resident, calculated,—

(i) at the rate of seven per cent. of such tax, where the income or the aggregate of such incomes paid or likely to be paid and subject to the deduction exceeds one crore rupees but does not exceed ten crore rupees;

(ii) at the rate of twelve per cent. of such tax, where the income or the aggregate of such incomes paid or likely to be paid and subject to the deduction exceeds ten crore rupees;

(e) in the case of every firm, being a non-resident, calculated at the rate of twelve per cent. of such tax, where the income or the aggregate of such incomes paid or likely to be paid and subject to the deduction exceeds one crore rupees;

(f) in the case of every company, other than a domestic company, calculated,—

(i) at the rate of two per cent. of such tax, where the income or the aggregate of such incomes paid or likely to be paid and subject to the deduction exceeds one crore rupees but does not exceed ten crore rupees;

(ii) at the rate of five per cent. of such tax, where the income or the aggregate of such incomes paid or likely to be paid and subject to the deduction exceeds ten crore rupees.

(7) In cases in which tax has to be collected under the proviso to section 194B of the Income-tax Act, the collection shall be made at the rates specified in Part II of the First Schedule, and shall be increased by a surcharge, for the purposes of the Union, calculated, in cases wherever prescribed, in the manner provided therein.

(8) In cases in which tax has to be collected under section 206C of the Income-tax Act, the collection shall be made at the rates specified in that section and shall be increased by a surcharge, for the purposes of the Union,—

(a) in the case of every individual or Hindu undivided family or association of persons, except in case of an association of persons consisting of only companies as its members, or body of individuals, whether incorporated or not, or every artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-tax Act, being a non-resident, calculated,—

(i) at the rate of ten per cent. of such tax, where the amount or the aggregate of such amounts collected or likely to be collected and subject to the collection exceeds fifty lakh rupees but does not exceed one crore rupees;

(ii) at the rate of fifteen per cent. of such tax, where the amount or the aggregate of such amounts collected or likely to be collected and subject to the collection exceeds one crore rupees but does not exceed two crore rupees;

(iii) at the rate of twenty-five per cent. of such tax, where the income or the aggregate of such amounts collected or likely to be collected and subject to the collection exceeds two crore rupees but does not exceed five crore rupees;

(iv) at the rate of thirty-seven per cent. of such tax, where the income or the aggregate of such amounts collected or likely to be collected and subject to the collection exceeds five crore rupees:

Provided that where the income of such person is chargeable to tax under sub-section (1A) of section 115BAC of the Income-tax Act, the rate of surcharge shall not exceed twenty-five per cent.;

(b) in the case of an association of persons, being a non-resident, and consisting of only companies as its members, calculated,—

(i) at the rate of ten per cent. of such tax, where the amount or the aggregate of such amounts collected or likely to be collected and subject to the collection exceeds fifty lakh rupees but does not exceed one crore rupees;

(ii) at the rate of fifteen per cent. of such tax, where the amount or the aggregate of such amounts collected or likely to be collected and subject to the collection exceeds one crore rupees;

(c) in the case of every co-operative society, being a non-resident, calculated,—

(i) at the rate of seven per cent. of such tax, where the amount or the aggregate of such amounts collected or likely to be collected and subject to the collection exceeds one crore rupees but does not exceed ten crore rupees;

(ii) at the rate of twelve per cent. of such tax, where the amount or the aggregate of such amounts collected or likely to be collected and subject to the collection exceeds ten crore rupees;

(d) in the case of every firm, being a non-resident, calculated at the rate of twelve per cent. of such tax, where the amount or the aggregate of such amounts collected or likely to be collected and subject to the collection exceeds one crore rupees;

(e) in the case of every company, other than a domestic company, calculated,—

(i) at the rate of two per cent. of such tax, where the amount or the aggregate of such amounts collected or likely to be collected and subject to the collection exceeds one crore rupees but does not exceed ten crore rupees;

(ii) at the rate of five per cent. of such tax, where the amount or the aggregate of such amounts collected or likely to be collected and subject to the collection exceeds ten crore rupees.

(9) Subject to the provisions of sub-section (10), in cases in which income-tax has to be charged under sub-section (4) of section 172 or sub-section (2) of section 174 or section 174A or section 175 or sub-section (2) of section 176 of the Income-tax Act or deducted from, or paid on, income chargeable under the head "Salaries" under section 192 of the said Act or deducted under section 194P of the said Act or in which the "advance tax" payable under Chapter XVII-C of the said Act has to be computed at the rate or rates in force, such income-tax or, as the case may be, "advance tax" shall be charged, deducted or computed at the rate or rates specified in Part III of the First Schedule and such tax shall be increased by a surcharge, for the purposes of the Union, calculated in such cases and in such manner as provided therein:

Provided that in cases to which the provisions of Chapter XII or Chapter XII-A or section 115JB or section 115JC or Chapter XII-FA or Chapter XII-FB or sub-section (1A) of section 161 or section 164 or section 164A or section 167B of the Income-tax Act apply, "advance tax" shall be computed with reference to the rates imposed by this sub-section or the rates as specified in that Chapter or section, as the case may be:

Provided further that the amount of "advance tax" computed in accordance with the provisions of section 111A or sections 112 or 112A of the Income-tax Act shall be increased by a surcharge, for the purposes of the Union, as provided in Paragraph A, B, C, D or E, as the case may be, of Part III of the First Schedule except in case of a domestic company whose income is chargeable to tax under section 115BAA or section 115BAB of the Income-tax Act or in case of an individual or Hindu undivided family or association of persons, or body of individuals, whether incorporated or not, or an artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-tax Act whose income is chargeable to tax under sub-section (1A) of section 115BAC of the Income-tax Act, or in case of a resident co-operative society whose income is chargeable to tax under section 115BAD or under section 115BAE of the Income-tax Act:

Provided also that in respect of any income chargeable to tax under section 115A, 115AB, 115AC, 115ACA, 115AD, 115B, 115BA, 115BB, 115BBA, 115BBC, 115BBF, 115BBG, 115BBH, 115BBI, 115BBJ, 115E, 115JB or 115JC of the Income-tax Act, "advance tax" computed in accordance with the first proviso shall be increased by a surcharge, for the purposes of the Union, calculated,—

(a) in the case of every individual or Hindu undivided family or association of persons, except in a case of an association of persons consisting of only companies as its members, or body of individuals, whether incorporated or not, or every artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-tax Act, not having any income under section 115AD of the Income-tax Act, and not having any income chargeable to tax under sub-section (1A) of section 115BAC of the Income-tax Act,—

(i) at the rate of ten per cent. of such "advance tax", where the total income exceeds fifty lakh rupees but does not exceed one crore rupees;

(ii) at the rate of fifteen per cent. of such "advance tax", where the total income exceeds one crore rupees but does not exceed two crore rupees;

(iii) at the rate of twenty-five per cent. of such "advance tax", where the total income exceeds two crore rupees but does not exceed five crore rupees;

(iv) at the rate of thirty-seven per cent. of such "advance tax", where the total income exceeds five crore rupees;

(b) in the case of every individual or association of persons, except in case of an association of persons consisting of only companies as its members, or body of individuals, whether incorporated or not, or every artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-tax Act, having income under section 115AD of the Income-tax Act, and not having any income chargeable to tax under sub-section (1A) of section 115BAC of the Income-tax Act,—

(i) at the rate of ten per cent. of such "advance tax", where the total income exceeds fifty lakh rupees, but does not exceed one crore rupees;

(ii) at the rate of fifteen per cent. of such "advance tax", where the total income exceeds one crore rupees but does not exceed two crore rupees;

(iii) at the rate of twenty-five per cent. of such "advance tax", where the total income [excluding the income by way of dividend and income of the nature referred to in clause (b) of sub-section (1) of section 115AD of the Income-tax Act] exceeds two crore rupees but does not exceed five crore rupees;

(iv) at the rate of thirty-seven per cent. of such "advance tax", where the total income [excluding the income by way of dividend or income of the nature referred to in clause (b) of sub-section (1) of section 115AD of the Income-tax Act] exceeds five crore rupees;

(v) at the rate of fifteen per cent. of such "advance tax", where the total income [including the income by way of dividend or income of the nature referred to in clause (b) of sub-section (1) of section 115AD of the Income-tax Act] exceeds two crore rupees but is not covered in sub-clauses (iii) and (iv):

Provided that in case where the total income includes any income by way of dividend or income chargeable under clause (b) of sub-section (1) of section 115AD of the Income-tax Act, the rate of surcharge on the advance tax computed on that part of income shall not exceed fifteen per cent.:

Provided further that where the total income of a person, being a specified fund referred to in clause (c) of the *Explanation* to clause (4D) of section 10 of the Income-tax Act, includes any income under clause (a) of sub-section (1) of section 115AD of the Income-tax Act, the advance tax computed on that part of income shall not be increased by any surcharge;

(c) in the case of an association of persons consisting of only companies as its members,—

(i) at the rate of ten per cent. of such "advance tax", where the total income exceeds fifty lakh rupees but does not exceed one crore rupees;

(ii) at the rate of fifteen per cent. of such "advance tax", where the total income exceeds one crore rupees;

(d) in the case of every co-operative society except such co-operative society whose income is chargeable to tax under section 115BAD or section 115BAE of the Income-tax Act,—

(i) at the rate of seven per cent. of such "advance tax", where the total income exceeds one crore rupees but does not exceed ten crore rupees;

(ii) at the rate of twelve per cent. of such "advance tax", where the total income exceeds ten crore rupees;

(e) in the case of every firm or local authority, at the rate of twelve per cent. of such "advance tax", where the total income exceeds one crore rupees;

(f) in the case of every domestic company except such domestic company whose income is chargeable to tax under section 115BAA or section 115BAB of the Income-tax Act,—

(i) at the rate of seven per cent. of such "advance tax", where the total income exceeds one crore rupees but does not exceed ten crore rupees;

(ii) at the rate of twelve per cent. of such "advance tax", where the total income exceeds ten crore rupees;



(g) in the case of every company, other than a domestic company,—

(i) at the rate of two per cent. of such "advance tax", where the total income exceeds one crore rupees but does not exceed ten crore rupees;

(ii) at the rate of five per cent. of such "advance tax", where the total income exceeds ten crore rupees:

Provided also that in the case of persons mentioned in (a) and (b) above, having total income chargeable to tax under section 115JC of the Income-tax Act, and such income exceeds,—

(a) fifty lakh rupees but does not exceed one crore rupees, the total amount payable as "advance tax" on such income and surcharge thereon shall not exceed the total amount payable as "advance tax" on a total income of fifty lakh rupees by more than the amount of income that exceeds fifty lakh rupees;

(b) one crore rupees but does not exceed two crore rupees, the total amount payable as "advance tax" on such income and surcharge thereon shall not exceed the total amount payable as "advance tax" and surcharge on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees;

(c) two crore rupees but does not exceed five crore rupees, the total amount payable as "advance tax" on such income and surcharge thereon shall not exceed the total amount payable as "advance tax" and surcharge on a total income of two crore rupees by more than the amount of income that exceeds two crore rupees;

(d) five crore rupees, the total amount payable as "advance tax" on such income and surcharge thereon shall not exceed the total amount payable as "advance tax" and surcharge on a total income of five crore rupees by more than the amount of income that exceeds five crore rupees:

Provided also that in the case of persons mentioned in (c) above, having total income chargeable to tax under section 115JC of the Income-tax Act, and such income exceeds,—

(a) fifty lakh rupees, but does not exceed one crore rupees, the total amount payable as "advance tax" on such income and surcharge thereon shall not exceed the total amount payable as "advance tax" on a total income of fifty lakh rupees by more than the amount of income that exceeds fifty lakh rupees;

(b) one crore rupees, the total amount payable as "advance tax" on such income and surcharge thereon shall not exceed the total amount payable as "advance tax" and surcharge on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees:

Provided also that in the case of persons mentioned in (d) above, having total income chargeable to tax under section 115JC of the Income-tax Act, and such income exceeds,—

(a) one crore rupees, but does not exceed ten crore rupees, the total amount payable as "advance tax" on such income and surcharge thereon, shall not exceed the total amount payable as "advance tax" on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees;

(b) ten crore rupees, the total amount payable as "advance tax" on such income and surcharge thereon, shall not exceed the total amount payable as "advance tax" and surcharge on a total income of ten crore rupees by more than the amount of income that exceeds ten crore rupees:

Provided also that in the case of persons mentioned in (e) above, having total income chargeable to tax under section 115JC of the Income-tax Act, and such income exceeds one crore rupees, the total amount payable as "advance tax" on such income and surcharge thereon, shall not exceed the total amount payable as "advance tax" on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees:

Provided also that in the case of every company having total income chargeable to tax under section 115JB of the Income-tax Act, and such income exceeds one crore rupees but



does not exceed ten crore rupees, the total amount payable as "advance tax" on such income and surcharge thereon, shall not exceed the total amount payable as "advance tax" on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees:

Provided also that in the case of every company having total income chargeable to tax under section 115JB of the Income-tax Act, and such income exceeds ten crore rupees, the total amount payable as "advance tax" on such income and surcharge thereon, shall not exceed the total amount payable as "advance tax" and surcharge on a total income of ten crore rupees by more than the amount of income that exceeds ten crore rupees:

Provided also that in respect of any income chargeable to tax under clause (i) of sub-section (I) of section 115BBE of the Income-tax Act, the "advance tax" computed in accordance with the first proviso shall be increased by a surcharge, for the purposes of the Union, calculated at the rate of twenty-five per cent. of such "advance tax":

Provided also that in case of every domestic company whose income is chargeable to tax under section 115BAA or section 115BAB of the Income-tax Act, the "advance tax" computed in accordance with the first proviso shall be increased by a surcharge, for the purposes of the Union, calculated at the rate of ten per cent. of such "advance tax":

Provided also that in respect of income chargeable to tax under sub-section (IA) of section 115BAC of the Income-tax Act, the "advance tax" computed in accordance with the first proviso shall be increased by a surcharge, for the purposes of the Union, calculated, in the case of an individual or Hindu undivided family or association of persons or body of individuals, whether incorporated or not, or every artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income tax Act,—

(i) having a total income (including the income by way of dividend or income under the provisions of section 111A, section 112 and section 112A of the Income-tax Act) exceeding fifty lakh rupees but not exceeding one crore rupees, at the rate of ten per cent. of such "advance tax";

(ii) having a total income (including the income by way of dividend or income under the provisions of section 111A, section 112 and section 112A of the Income-tax Act) exceeding one crore rupees but not exceeding two crore rupees, at the rate of fifteen per cent. of such "advance tax";

(iii) having a total income (excluding the income by way of dividend or income under the provisions of section 111A, section 112 and section 112A of the Income-tax Act) exceeding two crore rupees, at the rate of twenty-five per cent. of such "advance tax"; and

(iv) having a total income (including the income by way of dividend or income under the provisions of section 111A, section 112 and section 112A of the Income-tax Act) exceeding two crore rupees, but is not covered under clause (iii) above, at the rate of fifteen per cent. of such "advance tax":

Provided also that in case where the provisions of sub-section (IA) of section 115BAC are applicable and the total income includes any income by way of dividend or income chargeable under section 111A, section 112 and section 112A of the Income-tax Act, the rate of surcharge on the "advance tax" in respect of that part of income shall not exceed fifteen per cent.:

Provided also that in the case of a specified fund, referred to in clause (c) of the *Explanation* to clause (4D) of section 10 of the Income-tax Act, whose income is chargeable to tax under sub-section (IA) of section 115BAC and where such income includes any income under clause (a) of sub-section (I) of section 115AD of the Income-tax Act, the advance tax computed on that part of income shall not be increased by any surcharge:

Provided also that in case an association of persons consisting of only companies as its members, and having its income chargeable to tax under sub-section (IA) of section 115BAC, the rate of surcharge on the "advance tax" shall not exceed fifteen per cent.:

Provided also that in case of every individual or Hindu undivided family or association of persons, or body of individuals, whether incorporated or not, or every artificial juridical

person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-tax Act, whose income is chargeable to tax under section 115BAC of the Income-tax Act having total income exceeding,—

(a) fifty lakh rupees but does not exceed one crore rupees, the total amount payable as "advance tax" on such income and surcharge thereon shall not exceed the total amount payable as "advance tax" on a total income of fifty lakh rupees by more than the amount of income that exceeds fifty lakh rupees;

(b) one crore rupees but does not exceed two crore rupees, the total amount payable as "advance tax" on such income and surcharge thereon shall not exceed the total amount payable as "advance tax" and surcharge on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees;

(c) two crore rupees, the total amount payable as "advance tax" on such income and surcharge thereon shall not exceed the total amount payable as "advance tax" and surcharge on a total income of two crore rupees by more than the amount of income that exceeds two crore rupees:

Provided also that in case of every resident co-operative society whose income is chargeable to tax under section 115BAD or section 115BAE of the Income-tax Act, the "advance tax" computed in accordance with the first proviso shall be increased by a surcharge, for the purposes of the Union, calculated at the rate of ten per cent. of such "advance tax".

(10) In cases to which Paragraph A of Part III of the First Schedule applies, or in case of an individual or Hindu undivided family or association of persons or body of individuals, whether incorporated or not, or every artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-tax Act, being a resident, whose income is chargeable to tax under sub-section (1A) of section 115BAC of the Income-tax Act, where the assessee has, in the previous year or, if by virtue of any provision of the Income-tax Act, income-tax is to be charged in respect of the income of a period other than the previous year, in such other period, any net agricultural income exceeding five thousand rupees, in addition to total income and the total income exceeds two lakh fifty thousand rupees, then, in charging income-tax under sub-section (2) of section 174 or section 174A or section 175 or sub-section (2) of section 176 of the said Act or in computing the "advance tax" payable under Chapter XVII-C of the said Act, at the rate or rates in force,—

(a) the net agricultural income shall be taken into account, in the manner provided in clause (b) that is to say, as if the net agricultural income were comprised in the total income after the first two lakh fifty thousand rupees of the total income but without being liable to tax, only for the purpose of charging or computing such income-tax or, as the case may be, "advance tax" in respect of the total income; and

(b) such income-tax or, as the case may be, "advance tax" shall be so charged or computed as follows:—

(i) the total income and the net agricultural income shall be aggregated and the amount of income-tax or "advance tax" shall be determined in respect of the aggregate income at the rates specified in the said Paragraph A, or sub-section (1A) of section 115BAC, as if such aggregate income were the total income;

(ii) the net agricultural income shall be increased by a sum of two lakh fifty thousand rupees, and the amount of income-tax or "advance tax" shall be determined in respect of the net agricultural income as so increased at the rates specified in the said Paragraph A, or sub-section (1A) of section 115BAC, as if the net agricultural income were the total income;

(iii) the amount of income-tax or "advance tax" determined in accordance with sub-clause (i) shall be reduced by the amount of income-tax or, as the case may be, "advance tax" determined in accordance with sub-clause (ii) and the sum so arrived at shall be the income-tax or, as the case may be, "advance tax" in respect of the total income:

Provided that in the case of every individual, being a resident in India, who is of the age of sixty years or more but less than eighty years at any time during the previous year, referred to in item (II) of Paragraph A of Part III of the First Schedule, the provisions of this

sub-section shall have effect as if for the words "two lakh fifty thousand rupees", the words "three lakh rupees" had been substituted:

Provided further that in the case of every individual, being a resident in India, who is of the age of eighty years or more at any time during the previous year, referred to in item (III) of Paragraph A of Part III of the First Schedule, the provisions of this sub-section shall have effect as if for the words "two lakh fifty thousand rupees", the words "five lakh rupees" had been substituted:

Provided also that in the case of every individual or Hindu undivided family or association of persons or body of individuals, whether incorporated or not, or every artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-tax Act, being a resident, whose income is chargeable to tax under sub-section (1A) of section 115BAC of the Income-tax Act, the provisions of this sub-section shall have effect as if for the words "two lakh fifty thousand rupees", the words "three lakh rupees" had been substituted:

Provided also that the amount of income-tax or "advance tax" so arrived at, shall be increased by a surcharge for the purposes of the Union, calculated in each case, in the manner provided in this section.

(11) The amount of income-tax as specified in sub-sections (1) to (3) and as increased by the applicable surcharge, for the purposes of the Union, calculated in the manner provided therein, shall be further increased by an additional surcharge, for the purposes of the Union, to be called the "Health and Education Cess on income-tax", calculated at the rate of four per cent. of such income-tax and surcharge so as to fulfil the commitment of the Government to provide and finance quality health services and universalised quality basic education and secondary and higher education.

(12) The amount of income-tax as specified in sub-sections (4) to (10) and as increased by the applicable surcharge, for the purposes of the Union, calculated in the manner provided therein, shall be further increased by an additional surcharge, for the purposes of the Union, to be called the "Health and Education Cess on income-tax", calculated at the rate of four per cent. of such income-tax and surcharge so as to fulfil the commitment of the Government to provide and finance quality health services and universalised quality basic education and secondary and higher education:

Provided that nothing contained in this sub-section shall apply to cases in which tax is to be deducted or collected under the sections of the Income-tax Act mentioned in sub-sections (5), (6), (7) and (8), if the income subjected to deduction of tax at source or collection of tax at source is paid to a domestic company and any other person who is resident in India:

Provided further that nothing contained in this sub-section shall apply in respect of income-tax as specified in sub-section (9), calculated on income, referred to in clause (a) of sub-section (1) of section 115AD of the Income-tax Act, of specified fund referred to in clause (c) of the *Explanation* to clause (4D) of section 10 of the Income-tax Act.

(13) For the purposes of this section and the First Schedule,—

(a) "domestic company" means an Indian company or any other company which, in respect of its income liable to income-tax under the Income-tax Act, for the assessment year commencing on the 1st day of April, 2023, has made the prescribed arrangements for the declaration and payment within India of the dividends (including dividends on preference shares) payable out of such income;

(b) "insurance commission" means any remuneration or reward, whether by way of commission or otherwise, for soliciting or procuring insurance business (including business relating to the continuance, renewal or revival of policies of insurance);

(c) "net agricultural income" in relation to a person, means the total amount of agricultural income, from whatever source derived, of that person computed in accordance with the rules contained in Part IV of the First Schedule;

(d) all other words and expressions used in this section and the First Schedule but not defined in this sub-section and defined in the Income-tax Act shall have the meanings, respectively, assigned to them in that Act.

## CHAPTER III

## DIRECT TAXES

*Income-tax*

Amendment of  
section 2.

**3.** In section 2 of the Income-tax Act,—

(a) in clause (19B), the words and brackets "or an Additional Commissioner of Income-tax (Appeals)" shall be omitted;

(b) in clause (24), after sub-clause (xviib), the following sub-clauses shall be inserted with effect from the 1st day of April, 2024, namely:—

"(xviic) any sum referred to in clause (xii) of sub-section (2) of section 56;

(xviid) any sum referred to in clause (xiii) of sub-section (2) of section 56;"

(c) after clause (28C), the following clause shall be inserted, namely:—

'(28CA) "Joint Commissioner (Appeals)" means a person appointed to be a Joint Commissioner of Income-tax (Appeals) or an Additional Commissioner of Income-tax (Appeals) under sub-section (1) of section 117;'

(d) in clause (37A), in sub-clause (ii), after the figures and letter "194B," the figures and letters "194BA," shall be inserted;

(e) in clause (42A), in *Explanation 1*, in clause (i), after sub-clause (hh), the following sub-clause shall be inserted with effect from the 1st day of April, 2024, namely:—

"(hi) in the case of a capital asset, being—

(a) Electronic Gold Receipt issued in respect of gold deposited as referred to in clause (viid) of section 47, there shall be included the period for which such gold was held by the assessee prior to conversion into the Electronic Gold Receipt;

(b) gold released in respect of an Electronic Gold Receipt as referred to in clause (viid) of section 47, there shall be included the period for which such Electronic Gold Receipt was held by the assessee prior to its conversion into gold;"

Amendment of  
section 9.

**4.** In section 9 of the Income-tax Act, in sub-section (1), for clause (viii), the following clause shall be substituted with effect from the 1st day of April, 2024, namely:—

"(viii) income arising outside India, being any sum of money referred to in sub-clause (xviiia) of clause (24) of section 2, paid by a person resident in India—

(a) on or after the 5th day of July, 2019 to a non-resident, not being a company, or to a foreign company; or

(b) on or after the 1st day of April, 2023 to a person not ordinarily resident in India within the meaning of clause (6) of section 6."

Amendment of  
section 10.

**5.** In section 10 of the Income-tax Act,—

(a) in clause (4D), in the *Explanation*, in clause (c), in sub-clause (i), in item (I), after the words and figures "Securities and Exchange Board of India Act, 1992, or", 15 of 1992. the words, brackets and figures "regulated under the International Financial Services Centres Authority (Fund Management) Regulations, 2022, made under the" shall be inserted;

(b) for clause (4E), the following shall be substituted with effect from the 1st day of April, 2024,—

"(4E) any income accrued or arisen to, or received by a non-resident as a result of—

(i) transfer of non-deliverable forward contracts or offshore derivative instruments or over-the-counter derivatives; or

- (ii) distribution of income on offshore derivative instruments, entered into with an offshore banking unit of an International Financial Services Centre referred to in sub-section (IA) of section 80LA, which fulfils such conditions as may be prescribed;";
- (c) for clause (4G), the following clauses shall be substituted with effect from the 1st day of April, 2024, namely:—

'(4G) any income received by a non-resident from,—

- (i) portfolio of securities or financial products or funds, managed or administered by any portfolio manager on behalf of such non-resident; or
- (ii) such activity carried out by such person, as may be notified by the Central Government in the Official Gazette,

in an account maintained with an Offshore Banking Unit in any International Financial Services Centre, as referred to in sub-section (IA) of section 80LA, to the extent such income accrues or arises outside India and is not deemed to accrue or arise in India.

*Explanation.*—For the purposes of this clause, “portfolio manager” shall have the same meaning as assigned to it in clause (z) of sub-regulation (I) of regulation 2 of the International Financial Services Centres Authority (Capital Market Intermediaries) Regulations, 2021, made under the International Financial Services Centres Authority Act, 2019;

(4H) any income of a non-resident or a Unit of an International Financial Services Centre, as referred to in sub-section (IA) of section 80LA, engaged primarily in the business of leasing of an aircraft, by way of capital gains arising from the transfer of equity shares of domestic company, being a Unit of an International Financial Services Centre, as referred to in sub-section (IA) of section 80LA, engaged primarily in the business of lease of an aircraft which has commenced operations on or before the 31st day of March, 2026:

Provided that the provisions of this clause shall apply for capital gains arising from the transfer of equity shares of such domestic company in a previous year relevant to an assessment year falling within the—

- (a) period of ten assessment years beginning with the assessment year relevant to the previous year in which the domestic company has commenced operations; or
- (b) period of ten assessment years beginning with the assessment year commencing on the 1st day of April, 2024, where the period referred to in clause (a) ends before the 1st day of April, 2034.

*Explanation.*—For the purposes of this clause, “aircraft” means an aircraft or a helicopter, or an engine of an aircraft or a helicopter, or any part thereof;";

(d) in clause (10D),—

(i) in the second proviso, the words, brackets, figures and letter "or the *Explanation* to sub-section (2A) of section 88, as the case may be" shall be omitted;

(ii) for the sixth proviso, the following provisos shall be substituted with effect from the 1st day of April, 2024, namely:—

"Provided also that nothing contained in this clause shall apply with respect to any life insurance policy, other than a unit linked insurance policy, issued on or after the 1st day of April, 2023, if the amount of premium payable for any of the previous years during the term of such policy exceeds five lakh rupees:

Provided also that if the premium is payable by a person for more than one life insurance policy, other than unit linked insurance policy, issued on or after the 1st day of April, 2023, the provisions of this clause shall apply only with respect to those life insurance policies, other than unit linked insurance policies, where the aggregate amount of premium does not exceed the amount referred to in the sixth proviso in any of the previous years during the term of any of those policies:

Provided also that the provisions of the fourth, fifth, sixth and seventh provisos shall not apply to any sum received on the death of a person:";

(e) after clause (12B), the following shall be inserted, namely:—

'(12C) any payment from the *Agniveer* Corpus Fund to a person enrolled under the *Agnipath* Scheme, or to his nominee.

*Explanation.*—For the purposes of this clause "*Agniveer* Corpus Fund" and "*Agnipath* Scheme" shall have the meanings respectively assigned to them in section 80CCH;";

(f) in clause (22B), after the third proviso, the following proviso shall be inserted with effect from the 1st day of April, 2024, namely:—

"Provided also that nothing contained in this clause shall apply to any income of the news agency of the previous year relevant to the assessment year beginning on or after the 1st day of April, 2024;";

(g) clause (23BBF) shall be omitted;

(h) in clause (23C),—

(I) with effect from the 1st day of October, 2023,—

(i) in the first proviso, for clause (iv), the following clause shall be substituted, namely:—

"(iv) in any other case, where activities of the fund or trust or institution or university or other educational institution or hospital or other medical institution have—

(A) not commenced, at least one month prior to the commencement of the previous year relevant to the assessment year from which the said approval is sought;

(B) commenced and no income or part thereof of the said fund or trust or institution or university or other educational institution or hospital or other medical institution has been excluded from the total income on account of applicability of sub-clause (iv) or sub-clause (v) or sub-clause (vi) or sub-clause (via) or section 11 or section 12 for any previous year ending on or before the date of such application, at any time after the commencement of such activities,";

(ii) in the second proviso,—

(a) in clause (ii),—

(A) in the opening portion, after the word, brackets and figures "clause (iii)", the words, brackets, letter and figures "or sub-clause (B) of clause (iv)" shall be inserted;

(B) in sub-clause (b), for item (B), the following item shall be substituted, namely:—

"(B) if he is not so satisfied, pass an order in writing,—

(I) in a case referred to in clause (ii) or clause (iii) of the first proviso, rejecting such application and also cancelling its approval;



(II) in a case referred to in sub-clause (B) of clause (iv) of the first proviso, rejecting such application,

after affording it a reasonable opportunity of being heard;"

(b) for clause (iii), the following clause shall be substituted, namely:—

"(iii) where the application is made under sub-clause (A) of clause (iv) of the said proviso or the application made under clause (iv) of the said proviso, as it stood immediately before its amendment by the Finance Act, 2023, pass an order in writing granting approval to it provisionally for a period of three years from the assessment year from which the approval is sought, and send a copy of such order to the fund or trust or institution or university or other educational institution or hospital or other medical institution:"

(II) in the third proviso,—

(i) in *Explanation 2*,—

(a) in clause (i),—

(A) in the proviso, the word "and" shall be omitted;

(B) after the proviso, the following provisos shall be inserted, namely:—

"Provided further that the provisions of the first proviso shall apply only if there was no violation of the conditions specified in the twelfth, thirteenth and twenty-first provisos, and those specified in *Explanation 2* and *Explanation 3*, of this clause, at the time the application was made from the corpus:

Provided also that the amount invested or deposited back shall not be treated as application for charitable or religious purposes under the first proviso unless such investment or deposit is made within a period of five years from the end of the previous year in which such application was made from the corpus:

Provided also that nothing contained in the first proviso shall apply where the application from the corpus is made on or before the 31st day of March, 2021;"

(b) in clause (ii), after the proviso, the following provisos shall be inserted, namely:—

"Provided further that the provisions of the first proviso shall apply only if there was no violation of the conditions specified in the twelfth, thirteenth and twenty-first provisos, and those specified in *Explanation 2* and *Explanation 3*, of this clause at the time the application was made from loan or borrowing:

Provided also that the amount repaid shall not be treated as application for charitable or religious purposes under the first proviso unless such repayment is made within a period of five years from the end of the previous year in which such application was made from loan or borrowing:



Provided also that nothing contained in the first proviso shall apply where the application from any loan or borrowing is made on or before the 31st day of March, 2021; and";

(c) after clause (ii), the following clause shall be inserted with effect from the 1st day of April, 2024, namely:—

"(iii) any amount credited or paid out of the income of any fund or trust or institution or any university or other educational institution or any hospital or other medical institution referred to in sub-clause (iv) or sub-clause (v) or sub-clause (vi) or sub-clause (via), other than the amount referred to in the twelfth proviso, to any other fund or trust or institution or any university or other educational institution or any hospital or other medical institution referred to in sub-clause (iv) or sub-clause (v) or sub-clause (vi) or sub-clause (via), or trust or institution registered under section 12AB, as the case may be, shall be treated as application for charitable or religious purposes only to the extent of eighty-five per cent. of such amount credited or paid.";

(ii) in *Explanation 3*, in clause (c), for the words "furnished on or before", the words "furnished at least two months prior to" shall be substituted;

(III) in the fifteenth proviso, in *Explanation 2*,—

(A) in clause (d), for the words "attained finality.", the words "attained finality; or" shall be substituted;

(B) after clause (d), the following clause shall be inserted, namely:—

"(e) the application referred to in the first proviso of this clause is not complete or it contains false or incorrect information.";

(IV) in the nineteenth proviso, in the *Explanation*, with effect from the 1st day of April, 2024,—

(a) after the words, brackets and figures "notified under clause (46)", the word, brackets, figures and letter "or (46A)" shall be inserted;

(b) for the words, brackets and figures "under clause (46)", the words, brackets, figures and letter "under clause (46) or clause (46A)" shall be substituted;

(V) in the twentieth proviso, for the words "within the time allowed under that section", the words, brackets and figures "within the time allowed under sub-section (1) or sub-section (4) of that section" shall be substituted;

(i) clause (23EB) shall be omitted;

(j) in clause (23FE), in the opening paragraph, for the word "interest", the words, brackets and figures "interest, any sum referred to in clause (xii) of sub-section (2) of section 56" shall be substituted with effect from the 1st day of April, 2024;

(k) clause (26A) shall be omitted;

(l) for clause (26AAA), the following clause shall be substituted and shall be deemed to have been substituted with effect from the 1st day of April, 1990, namely:—

“(26AAA) in case of an individual, being a Sikkimese, any income which accrues or arises to him—

(a) from any source in the State of Sikkim; or

(b) by way of dividend or interest on securities.

*Explanation.*—For the purposes of this clause “Sikkimese” shall mean—

(i) an individual, whose name is recorded in the register maintained under the Sikkim Subjects Regulation, 1961 read with the Sikkim Subject Rules, 1961 (hereinafter referred to as the “Register of Sikkim Subjects”), immediately before the 26th day of April, 1975; or

(ii) an individual, whose name is included in the Register of Sikkim Subjects by virtue of the Government of India Order No. 26030/36/90-I.C.I., dated the 7th August, 1990 and Order of even number dated the 8th April, 1991; or

(iii) any other individual, whose name does not appear in the Register of Sikkim Subjects, but it is established beyond doubt that the name of such individual’s father or husband or paternal grand-father or brother from the same father has been recorded in that register; or

(iv) any other individual, whose name does not appear in the Register of Sikkim Subjects but it is established that such individual was domiciled in Sikkim on or before the 26th day of April, 1975; or

(v) any other individual, who was not domiciled in Sikkim on or before the 26th day of April, 1975, but it is established beyond doubt that such individual’s father or husband or paternal grand-father or brother from the same father was domiciled in Sikkim on or before the 26th day of April, 1975;’;

(m) after clause (34A), the following clause shall be inserted with effect from the 1st day of April, 2024, namely:—

‘(34B) any income of a Unit of any International Financial Services Centre, primarily engaged in the business of leasing of an aircraft, by way of dividends from a company being a Unit of any International Financial Services Centre primarily engaged in the business of leasing of an aircraft.

*Explanation.*—For the purposes of this clause, “International Financial Services Centre” shall have the same meaning as assigned to it in clause (q) of section 2 of the Special Economic Zones Act, 2005;’;

(n) clause (41) shall be omitted;

(o) in clause (46), for the words “, or a class thereof” at both the places where they occur, the words, figures and letter “other than those covered under clause (46A), or a class thereof” shall be substituted with effect from the 1st day of April, 2024;

(p) after clause (46), the following clauses shall be inserted with effect from the 1st day of April, 2024, namely:—

“(46A) any income arising to a body or authority or Board or Trust or Commission, not being a company, which—

(a) has been established or constituted by or under a Central Act or State Act with one or more of the following purposes, namely:—

(i) dealing with and satisfying the need for housing accommodation;

(ii) planning, development or improvement of cities, towns and villages;

(iii) regulating, or regulating and developing, any activity for the benefit of the general public; or

(iv) regulating any matter, for the benefit of the general public, arising out of the object for which it has been created; and

(b) is notified by the Central Government in the Official Gazette for the purposes of this clause;

(46B) any income accruing or arising to,—

(i) National Credit Guarantee Trustee Company Limited, being a company established and wholly financed by the Central Government for the purposes of operating credit guarantee funds established and wholly financed by the Central Government; or

(ii) a credit guarantee fund established and wholly financed by the Central Government and managed by the National Credit Guarantee Trustee Company Limited; or

(iii) Credit Guarantee Fund Trust for Micro and Small Enterprises, being a trust created by the Government of India and the Small Industries Development Bank of India established under sub-section (I) of section 3 of the Small Industries Development Bank of India Act, 1989;"

39 of 1989.

(q) clause (49) shall be omitted.

Amendment of  
section 10AA.

6. In section 10AA of the Income-tax Act, with effect from the 1st day of April, 2024,—

(a) in sub-section (I), after clause (ii) and before the *Explanation*, the following proviso shall be inserted, namely:—

"Provided that no such deduction shall be allowed to an assessee who does not furnish a return of income on or before the due date specified under sub-section (I) of section 139.";

(b) after sub-section (4), the following shall be inserted, namely:—

'(4A) This section applies to a Unit, if the proceeds from sale of goods or provision of services is received in, or brought into, India by the assessee in convertible foreign exchange, within a period of six months from the end of the previous year or, within such further period as the competent authority may allow in this behalf.

*Explanation 1.*—For the purposes of this sub-section, the expression "competent authority" means the Reserve Bank of India or the authority authorised under any law for the time being in force for regulating payments and dealings in foreign exchange.

*Explanation 2.*—The sale of goods or provision of services shall be deemed to have been received in India where such export turnover is credited to a separate account maintained for that purpose by the assessee with any bank outside India with the approval of the Reserve Bank of India.';

(c) in *Explanation 1*, for clause (i), the following clauses shall be substituted, namely:—

'(i) "convertible foreign exchange" shall have the meaning assigned to it in clause (ii) of the *Explanation 2* to section 10A;

(ia) "export turnover" means the consideration in respect of export by the undertaking, being the Unit of articles or things or services received in, or brought into, India by the assessee in convertible foreign exchange in accordance with the provisions of sub-section (4A), but does not include freight, telecommunication charges or insurance attributable to the delivery of the articles or things outside India or expenses, if any, incurred in foreign exchange in rendering of services (including computer software) outside India;'.

Amendment of  
section 11.

7. In section 11 of the Income-tax Act,—

(A) in sub-section (I),—

(a) in *Explanation 1*, in clause (2), in sub-clause (ii), in the long line, for the words "before the expiry of the time allowed", the words "at least two months prior to the due date specified" shall be substituted;

(b) in *Explanation 4*,—

(I) in clause (i),—

(a) in the proviso, for the words "deposit; and", the word "deposit:" shall be substituted;

(b) after the proviso, the following provisos shall be inserted, namely:—

"Provided further that provisions of the first proviso shall apply only if there was no violation of the conditions specified—

(a) in clause (c) of this sub-section;

(b) in *Explanations 2, 3 and 5* of this sub-section;

(c) in the *Explanation* to this section; and

(d) in clause (c) of sub-section (I) of section 13,

at the time the application was made from the corpus:

Provided also that the amount invested or deposited back shall not be treated as application for charitable or religious purposes under the first proviso unless such investment or deposit is made within a period of five years from the end of the previous year in which such application was made from the corpus:

Provided also that nothing contained in the first proviso shall apply where application from the corpus is made on or before the 31st day of March, 2021;"

(II) in clause (ii), after the proviso, the following provisos shall be inserted, namely:—

"Provided further that provisions of the first proviso shall apply only if there was no violation of the conditions specified—

(a) in clause (c) of this sub-section;

(b) in *Explanations 2, 3 and 5* of this sub-section;

(c) in the *Explanation* to this section; and

(d) in clause (c) of sub-section (I) of section 13,

at the time the application was made from loan or borrowing:

Provided also that the amount repaid shall not be treated as application for charitable or religious purposes under the first proviso unless such repayment is made within a period of five years from the end of the previous year in which such application was made from loan or borrowing:

Provided also that nothing contained in the first proviso shall apply where application from any loan or borrowing is made on or before the 31st day of March, 2021; and";

(III) after clause (ii), the following clause shall be inserted with effect from the 1st day of April, 2024, namely:—

"(iii) any amount credited or paid, other than the amount referred to in *Explanation 2*, to any fund or trust or institution or any university or other educational institution or any hospital or other medical institution referred to in sub-clause (iv) or sub-clause (v) or sub-clause (vi) or sub-clause (via) of clause (23C) of section 10, as the case may be, or other trust or institution registered under section 12AB, as the case may be, shall be treated

as application for charitable or religious purposes only to the extent of eighty-five per cent. of such amount credited or paid.";

(B) in sub-section (2), in clause (c), for the words "on or before", the words "at least two months prior to" shall be substituted;

(C) in sub-section (7), with effect from the 1st day of April, 2024,—

(a) for the words, brackets and figures "and clause (46)", the words, brackets, figures and letters ", clause (23EC), clause (46) and clause (46A)" shall be substituted;

(b) in the first proviso, for the words, brackets and figures "under clause (46)", the words, brackets, figures and letters "under clause (23EC) or clause (46) or clause (46A)" shall be substituted;

(c) in the second proviso, for the words, brackets and figures "under clause (46)", the words, brackets, figures and letters "under clause (23EC) or clause (46) or clause (46A)" shall be substituted.

Amendment of  
section 12A.

**8. In section 12A of the Income-tax Act,—**

(a) in sub-section (1),—

(I) in clause (ac), for sub-clause (vi), the following sub-clause shall be substituted with effect from the 1st day of October, 2023, namely:—

"(vi) in any other case, where activities of the trust or institution have—

(A) not commenced, at least one month prior to the commencement of the previous year relevant to the assessment year from which the said registration is sought;

(B) commenced and no income or part thereof of the said trust or institution has been excluded from the total income on account of applicability of sub-clause (iv) or sub-clause (v) or sub-clause (vi) or sub-clause (via) of clause (23C) of section 10, or section 11 or section 12, for any previous year ending on or before the date of such application, at any time after the commencement of such activities,";

(II) in clause (ba), for the words "within the time allowed under that section", the words, brackets and figures "within the time allowed under sub-section (1) or sub-section (4) of that section" shall be substituted;

(b) in sub-section (2), the second, third and fourth provisos shall be omitted.

Amendment of  
section 12AB.

**9. In section 12AB of the Income-tax Act,—**

(a) in sub-section (1), with effect from the 1st day of October, 2023,—

(A) in clause (b),—

(a) in the opening portion, after the word, brackets and figure "sub-clause (v)", the words, brackets, letter and figures "or item (B) of sub-clause (vi)" shall be inserted;

(b) in sub-clause (ii), for item (B), the following item shall be substituted, namely:—

"(B) if he is not so satisfied, pass an order in writing,—

(I) in a case referred to in sub-clause (ii) or sub-clause (iii) or sub-clause (v) of clause (ac) of sub-section (1) of section 12A rejecting such application and also cancelling its registration;

(II) in a case referred to in sub-clause (iv) or in item (B) of sub-clause (vi) of sub-section (1) of section 12A, rejecting such application,

after affording a reasonable opportunity of being heard;"

(B) for clause (c), the following clause shall be substituted, namely:—

"(c) where the application is made under item (A) of sub-clause (vi) of the said clause or the application is made under sub-clause (vi) of the said clause, as it stood immediately before its amendment *vide* the Finance Act, 2023, pass an order in writing provisionally registering the trust or institution for a period of three years from the assessment year from which the registration is sought;"

(b) in sub-section (4), in the *Explanation*, in clause (f), for the words "attained finality.", the words "attained finality; or" shall be substituted;

(c) after clause (f), the following clause shall be inserted, namely:—

"(g) the application referred to in clause (ac) of sub-section (1) of section 12A is not complete or it contains false or incorrect information."

**10.** In section 17 of the Income-tax Act,—

Amendment of  
section 17.

(i) in clause (1), after sub-clause (viii), the following sub-clause shall be inserted, namely:—

"(ix) the contribution made by the Central Government in the previous year, to the *Agniveer* Corpus Fund account of an individual enrolled in the *Agnipath* Scheme referred to in section 80CCH;"

(ii) in clause (2), with effect from the 1st day of April, 2024,—

(a) in sub-clause (i), after the word "employer", the words "computed in such manner as may be prescribed" shall be inserted;

(b) for sub-clause (ii) and *Explanations* 1 to 4 thereto, the following shall be substituted, namely:—

"(ii) the value of any accommodation provided to the assessee by his employer at a concessional rate.

*Explanation.*—For the purposes of this sub-clause, it is clarified that accommodation shall be deemed to have been provided at a concessional rate, if the value of accommodation computed in such manner as may be prescribed, exceeds the rent recoverable from, or payable by, the assessee;"

**11.** In section 28 of the Income-tax Act, for clause (iv), the following clause shall be substituted with effect from the 1st day of April, 2024, namely:—

Amendment of  
section 28.

"(iv) the value of any benefit or perquisite arising from business or the exercise of a profession, whether—

(a) convertible into money or not; or

(b) in cash or in kind or partly in cash and partly in kind;"

**12.** In section 35D of the Income-tax Act, in sub-section (2), in clause (a), for the proviso, the following proviso shall be substituted with effect from the 1st day of April, 2024, namely:—

Amendment of  
section 35D.

"Provided that the assessee shall furnish a statement containing the particulars of expenditure specified in this clause within such period, to such income-tax authority, in such form and manner, as may be prescribed."

**13.** In section 43B of the Income-tax Act, with effect from the 1st day of April, 2024,—

Amendment of  
section 43B.

(i) in clause (da), for the words "a deposit taking non-banking financial company or systemically important non-deposit taking non-banking financial company", the words "such class of non-banking financial companies as may be notified by the Central Government in the Official Gazette in this behalf" shall be substituted;



(ii) in clause (g), after the word "assets," the word "or" shall be inserted;

(iii) after clause (g), the following clause shall be inserted, namely:—

"(h) any sum payable by the assessee to a micro or small enterprise beyond the time-limit specified in section 15 of the Micro, Small and Medium Enterprises Development Act, 2006,";

27 of 2006.

(iv) in the proviso, after the words "nothing contained in this section", the brackets, words and letter "[except the provisions of clause (h)]" shall be inserted;

(v) in *Explanation 4*,—

(I) for clause (e), the following clause shall be substituted, namely:—

'(e) "micro enterprise" shall have the meaning assigned to it in clause (h) of section 2 of the Micro, Small and Medium Enterprises Development Act, 2006;'

27 of 2006.

(II) for clause (g), the following clause shall be substituted, namely:—

'(g) "small enterprise" shall have the meaning assigned to it in clause (m) of section 2 of the Micro, Small and Medium Enterprises Development Act, 2006.'

27 of 2006.

Amendment of  
section 43D.

**14.** In section 43D of the Income-tax Act, with effect from the 1st day of April, 2024,—

(i) in clause (a), for the words "a deposit taking non-banking financial company or a systemically important non-deposit taking non-banking financial company", the words "such class of non-banking financial companies as may be notified by the Central Government in the Official Gazette in this behalf" shall be substituted;

(ii) in the long line, for the words "a deposit taking non-banking financial company or a systemically important non-deposit taking non-banking financial company", the words "such class of non-banking financial companies as may be notified by the Central Government in the Official Gazette in this behalf," shall be substituted;

(iii) in the *Explanation*, for clause (h), the following clause shall be substituted, namely:—

'(h) the expression "non-banking financial company" shall have the meaning assigned to it in clause (vii) of the *Explanation* to clause (vii) of sub-section (I) of section 36.'

Amendment of  
section 44AB.

**15.** In section 44AB of the Income-tax Act, for the first proviso, the following proviso shall be substituted with effect from the 1st day of April, 2024, namely:—

"Provided that this section shall not apply to a person, who declares profits and gains for the previous year in accordance with the provisions of sub-section (I) of section 44AD or sub-section (I) of section 44ADA:".

Amendment of  
section 44AD.

**16.** In section 44AD of the Income-tax Act, in the *Explanation*, in clause (b), after sub-clause (ii), the following provisos shall be inserted with effect from the 1st day of April, 2024, namely:—

'Provided that where the amount or aggregate of the amounts received during the previous year, in cash, does not exceed five per cent. of the total turnover or gross receipts of such previous year, this sub-clause shall have effect as if for the words "two crore rupees", the words "three crore rupees" had been substituted:

Provided further that for the purposes of the first proviso, the receipt of amount or aggregate of amounts by a cheque drawn on a bank or by a bank draft, which is not account payee, shall be deemed to be the receipt in cash.'



**17.** In section 44ADA of the Income-tax Act, after sub-section (1), the following provisos shall be inserted with effect from the 1st day of April, 2024, namely:— Amendment of section 44ADA.

'Provided that in case of an assessee where the amount or aggregate of the amounts received during the previous year, in cash, does not exceed five per cent. of the total gross receipts of such previous year, this sub-section shall have effect as if for the words "fifty lakh rupees", the words "seventy-five lakh rupees" had been substituted:

Provided further that for the purposes of the first proviso, the receipt of amount or aggregate of amounts by a cheque drawn on a bank or by a bank draft, which is not account payee, shall be deemed to be the receipt in cash.'

**18.** In section 44BB of the Income-tax Act, after sub-section (3) and before the *Explanation*, the following sub-section shall be inserted with effect from the 1st day of April, 2024, namely:— Amendment of section 44BB.

"(4) Notwithstanding anything contained in sub-section (2) of section 32 and sub-section (1) of section 72, where an assessee declares profits and gains of business for any previous year in accordance with the provisions of sub-section (1), no set off of unabsorbed depreciation and brought forward loss shall be allowed to the assessee for such previous year."

**19.** In section 44BBB of the Income-tax Act, after sub-section (2), the following sub-section shall be inserted with effect from the 1st day of April, 2024, namely:— Amendment of section 44BBB.

"(3) Notwithstanding anything contained in sub-section (2) of section 32 and sub-section (1) of section 72, where an assessee declares profits and gains of business for any previous year in accordance with the provisions of sub-section (1), no set off of unabsorbed depreciation and brought forward loss shall be allowed to the assessee for such previous year."

**20.** In section 45 of the Income-tax Act, in sub-section (5A), for the words "the consideration received in cash, if any," the words "any consideration received in cash or by a cheque or draft or by any other mode" shall be substituted with effect from the 1st day of April, 2024. Amendment of section 45.

**21.** In section 47 of the Income-tax Act,— Amendment of section 47.

(a) in clause (viia), in the *Explanation*,—

(i) for clause (a), the following clause shall be substituted, namely:—

'(a) "original fund" means—

(A) a fund established or incorporated or registered outside India, which collects funds from its members for investing it for their benefit and fulfils the following conditions, namely:—

(i) the fund is not a person resident in India;

(ii) the fund is a resident of a country or a specified territory with which an agreement referred to in sub-section (1) of section 90 or sub-section (1) of section 90A has been entered into; or is established or incorporated or registered in a country or a specified territory as may be notified by the Central Government in this behalf;

(iii) the fund and its activities are subject to applicable investor protection regulations in the country or specified territory where it is established or incorporated or is a resident; and

(iv) fulfils such other conditions as may be prescribed;

(B) an investment vehicle, in which Abu Dhabi Investment Authority is the direct or indirect sole shareholder or unit holder or beneficiary or interest holder and such investment vehicle is wholly owned and controlled, directly or indirectly, by the Abu Dhabi Investment Authority or the Government of Abu Dhabi; or

(C) a fund notified by the Central Government in the Official Gazette in this behalf subject to such conditions as may be specified;'

(ii) in clause (b), for the figures "2023", the figures "2025" shall be substituted;

(iii) in clause (c), in sub-clause (i), after the words and figures "Securities and Exchange Board of India Act, 1992 or", the words, brackets and figures "regulated under the International Financial Services Centres Authority (Fund Management) Regulations, 2022, made under the" shall be inserted; 15 of 1992.

(b) after clause (viic), the following clause shall be inserted with effect from the 1st day of April, 2024, namely:—

'(viid) any transfer of a capital asset, being conversion of gold into Electronic Gold Receipt issued by a Vault Manager, or conversion of Electronic Gold Receipt into gold.

*Explanation.*—For the purposes of this clause, the expressions "Electronic Gold Receipt" and "Vault Manager" shall have the meanings respectively assigned to them in clauses (h) and (l) of sub-regulation (I) of regulation 2 of the Securities and Exchange Board of India (Vault Managers) Regulations, 2021 made under the Securities and Exchange Board of India Act, 1992;"; 15 of 1992.

(c) after clause (xix), the following clause shall be inserted, namely:—

'(xx) any transfer of a capital asset, being an interest in a joint venture, held by a public sector company, in exchange of shares of a company incorporated outside India by the Government of a foreign State, in accordance with the laws of that foreign State.

*Explanation.*—For the purposes of this clause, "joint venture" shall mean a business entity, as may be notified by the Central Government in the Official Gazette.'

Amendment of section 48.

**22.** In section 48 of the Income-tax Act, in clause (ii), the following shall be inserted with effect from the 1st day of April, 2024, namely:—

"Provided that the cost of acquisition of the asset or the cost of improvement thereto shall not include the deductions claimed on the amount of interest under clause (b) of section 24 or under the provisions of Chapter VIA.

*Explanation 1.*—For the removal of doubt, it is hereby clarified that the cost of acquisition of a unit of a business trust shall be reduced and shall be deemed to have always been reduced by any sum received by a unit holder from the business trust with respect to such unit, which is not in the nature of income as referred to in clause (23FC) or clause (23FCA) of section 10 and which is not chargeable to tax under clause (xii) of sub-section (2) of section 56 and under sub-section (2) of section 115UA.

*Explanation 2.*—For the purposes of *Explanation 1*, it is clarified that where transaction of transfer of a unit is not considered as transfer under section 47 and cost of acquisition of such unit is determined under section 49, sum received with respect to such unit before such transaction as well as after such transaction shall be reduced from the cost of acquisition under the said *Explanation*;"

Amendment of section 49.

**23.** In section 49 of the Income-tax Act,—

(a) after sub-section (2AH), the following sub-section shall be inserted, namely:—

"(2AI) Where the capital asset, being shares as referred to in clause (xx) of section 47, became the property of the assessee, the cost of acquisition of such asset shall be deemed to be the cost of acquisition to it of the interest in the joint venture referred to in the said clause.";

(b) after sub-section (9), the following sub-section shall be inserted with effect from the 1st day of April, 2024, namely:—

"(10) Where the capital asset, being—

(i) an Electronic Gold Receipt issued by a Vault Manager, became the property of the person as consideration of a transfer, referred to in clause (viid) of section 47, the cost of acquisition of the asset for the purposes of the said transfer, shall be deemed to be the cost of gold in the hands of the person in whose name Electronic Gold Receipt is issued;

(ii) gold released against an Electronic Gold Receipt, which became the property of the person as consideration for a transfer, referred to in clause (viid) of section 47, the cost of acquisition of the asset for the purposes of the said transfer shall be deemed to be the cost of the Electronic Gold Receipt in the hands of such person."

**24.** After section 50A of the Income-tax Act, the following section shall be inserted with effect from the 1st day of April, 2024, namely:—

Insertion of new section 50AA.

'50AA. Notwithstanding anything contained in clause (42A) of section 2 or section 48, where the capital asset is a unit of a Specified Mutual Fund acquired on or after the 1st day of April, 2023 or a Market Linked Debenture, the full value of consideration received or accruing as a result of the transfer or redemption or maturity of such debenture or unit as reduced by—

Special provision for computation of capital gains in case of Market Linked Debenture.

(i) the cost of acquisition of the debenture or unit; and

(ii) the expenditure incurred wholly and exclusively in connection with such transfer or redemption or maturity,

shall be deemed to be the capital gains arising from the transfer of a short-term capital asset:

Provided that no deduction shall be allowed in computing the income chargeable under the head "Capital gains" in respect of any sum paid on account of securities transaction tax under the provisions of Chapter VII of the Finance (No. 2) Act, 2004.

23 of 2004.

*Explanation.*—For the purposes of this section—

(i) "Market Linked Debenture" means a security by whatever name called, which has an underlying principal component in the form of a debt security and where the returns are linked to market returns on other underlying securities or indices and include any security classified or regulated as a Market Linked Debenture by the Securities and Exchange Board of India;

(ii) "Specified Mutual Fund" means a Mutual Fund by whatever name called, where not more than thirty five per cent. of its total proceeds is invested in the equity shares of domestic companies:

Provided that the percentage of equity shareholding held in respect of the Specified Mutual Fund shall be computed with reference to the annual average of the daily closing figures.'

**25.** In section 54 of the Income-tax Act, with effect from the 1st day of April, 2024,—

Amendment of section 54.

(a) in sub-section (1), after the second proviso, the following proviso shall be inserted, namely:—

"Provided also that where the cost of new asset exceeds ten crore rupees, the amount exceeding ten crore rupees shall not be taken into account for the purposes of this sub-section.";

(b) in sub-section (2),—

(i) after the words "amount so deposited shall", the words, brackets and figure ", subject to the third proviso to sub-section (1)" shall be inserted;

(ii) after the proviso, the following proviso shall be inserted, namely:—

"Provided further that the capital gains in excess of ten crore rupees shall not be taken into account for the purposes of this sub-section."

Amendment of section 54EA.	<b>26.</b> In section 54EA of the Income-tax Act, sub-section (3) shall be omitted.
Amendment of section 54EB.	<b>27.</b> In section 54EB of the Income-tax Act, sub-section (3) shall be omitted.
Amendment of section 54EC.	<b>28.</b> In section 54EC of the Income-tax Act, in sub-section (3), clause (a) shall be omitted.
Amendment of section 54ED.	<b>29.</b> In section 54ED of the Income-tax Act, in sub-section (3), clause (a) shall be omitted.
Amendment of section 54F.	<p><b>30.</b> In section 54F of the Income-tax Act, with effect from the 1st day of April, 2024,—</p> <p>(a) in sub-section (1), after the proviso and before the <i>Explanation</i>, the following proviso shall be inserted, namely:—</p> <p>"Provided further that where the cost of new asset exceeds ten crore rupees, the amount exceeding ten crore rupees shall not be taken into account for the purposes of this sub-section.";</p> <p>(b) in sub-section (4),—</p> <p>(i) after the words "amount so deposited shall", the words, brackets and figure ", subject to the second proviso to sub-section (1)" shall be inserted;</p> <p>(ii) after the proviso, the following proviso shall be inserted, namely:—</p> <p>"Provided further that the net consideration in excess of ten crore rupees shall not be taken into account for the purposes of this sub-section."</p>
Amendment of section 55.	<p><b>31.</b> In section 55 of the Income-tax Act, with effect from the 1st day of April, 2024,—</p> <p>(a) in sub-section (1), in clause (b), in sub-clause (1),—</p> <p>(i) after the word "goodwill", the words "or any other intangible asset" shall be inserted;</p> <p>(ii) after the word "profession", the words "or any other right" shall be inserted;</p> <p>(b) in sub-section (2), in clause (a),—</p> <p>(i) for the words "profession, or a right", the words "profession, or any other intangible asset or a right" shall be substituted;</p> <p>(ii) for the word "hours,", the words "hours, or any other right" shall be substituted.</p>
Amendment of section 56.	<p><b>32.</b> In section 56 of the Income-tax Act, in sub-section (2),—</p> <p>(a) in clause (viib),—</p> <p>(i) with effect from the 1st day of April, 2024, the words "being a resident" shall be omitted;</p> <p>(ii) in the <i>Explanation</i>, in clause (aa), after the words and figures "Securities and Exchange Board of India Act, 1992 or regulated under the", the words, brackets and figures "International Financial Services Centre Authority (Fund Management) Regulations, 2022 made under the" shall be inserted; 15 of 1992.</p> <p>(b) after clause (xi), with effect from the 1st day of April, 2024, the following clauses shall be inserted, namely:—</p> <p>'(xii) any specified sum received by a unit holder from a business trust during the previous year, with respect to a unit held by him at any time during the previous year.</p> <p><i>Explanation.</i>—For the purposes of this clause, "specified sum" shall be computed in accordance with the following formula, namely:—</p>

Specified sum=A-B-C (which shall be deemed to be zero if sum of B and C is greater than A), where—

A=aggregate of sum distributed by the business trust with respect to such unit, during the previous year or during any earlier previous year or years, to such unit holder, who holds such unit on the date of distribution of sum or to any other unit holder who held such unit at any time prior to the date of such distribution, which is,—

(a) not in the nature of income referred to in clause (23FC) or clause (23FCA) of section 10; and

(b) not chargeable to tax under sub-section (2) of section 115UA;

B=amount at which such unit was issued by the business trust; and

C=amount charged to tax under this clause in any earlier previous year;'

(xiii) where any sum is received, including the amount allocated by way of bonus, at any time during a previous year, under a life insurance policy, other than the sum,—

(a) received under a unit linked insurance policy;

(b) being the income referred to in clause (iv),

which is not to be excluded from the total income of the previous year in accordance with the provisions of clause (10D) of section 10, the sum so received as exceeds the aggregate of the premium paid, during the term of such life insurance policy, and not claimed as deduction under any other provision of this Act, computed in such manner as may be prescribed.

*Explanation.*—For the purposes of this clause "unit linked insurance policy" shall have the meaning assigned to it in *Explanation 3* to clause (10D) of section 10.'

**33.** In section 72A of the Income-tax Act, in sub-section (1), in clause (d), in the *Explanation*, for clause (iii), the following clause shall be substituted, namely:— Amendment of section 72A.

'(iii) "strategic disinvestment" means sale of shareholding by the Central Government or any State Government or a public sector company, in a public sector company or in a company, which results in—

(a) reduction of its shareholding to below fifty-one per cent.; and

(b) transfer of control to the buyer:

Provided that the condition laid down in sub-clause (a) shall apply only in a case where shareholding of the Central Government or the State Government or the public sector company was above fifty-one per cent. before such sale of shareholding:

Provided further that requirement of transfer of control referred to in sub-clause (b) may be carried out by the Central Government or the State Government or the public sector company or any two of them or all of them.'

**34.** In section 72AA of the Income-tax Act,—

(a) for clause (i), the following clause shall be substituted, namely:—

"(i) one or more banking company with—

(a) any other banking institution under a scheme sanctioned and brought into force by the Central Government under sub-section (7) of section 45 of the Banking Regulation Act, 1949; or

(b) any other banking institution or a company subsequent to a strategic disinvestment, wherein the amalgamation is carried out within a period of five years from the end of the previous year during which such strategic disinvestment is carried out; or";

Amendment of section 72AA.

(b) in the long line, after the words "such banking institution or", the words "company or" shall be inserted;

(c) in the *Explanation*, after clause (vi), the following clause shall be inserted, namely:—

'(via) "strategic disinvestment" shall have the meaning assigned to it in clause (iii) of the *Explanation* to clause (d) of sub-section (1) of section 72A;'

Amendment of section 79. **35.** In section 79 of the Income-tax Act, in sub-section (1), in the proviso, for the word "seven", the word "ten" shall be substituted.

Amendment of section 80C. **36.** In section 80C of the Income-tax Act, sub-section (7) shall be omitted.

Amendment of section 80CCC. **37.** In section 80CCC of the Income-tax Act, in sub-section (3), clause (a) shall be omitted.

Amendment of section 80CCD. **38.** In section 80CCD of the Income-tax Act, in sub-section (4), clause (a) shall be omitted.

Insertion of new section 80CCH. **39.** After section 80CCG of the Income-tax Act, the following section shall be inserted, namely:—

**80CCH.** (1) Where an assessee, being an individual enrolled in the *Agnipath* Scheme and subscribing to the *Agniveer* Corpus Fund on or after the 1st day of November, 2022, has in the previous year paid or deposited any amount in his account in the said Fund, he shall be allowed a deduction in the computation of his total income, of the whole of the amount so paid or deposited.

(2) Where the Central Government makes any contribution to the account of an assessee in the *Agniveer* Corpus Fund referred to in sub-section (1), the assessee shall be allowed a deduction in the computation of his total income of the whole of the amount so contributed.

*Explanation.*—For the purposes of this section,—

(a) "*Agnipath* Scheme" means the scheme for enrolment in Indian Armed Forces introduced *vide* letter No.1(23)2022/D(Pay/Services), dated the 29th December, 2022 of the Government of India in the Ministry of Defence;

(b) "*Agniveer* Corpus Fund" means a fund in which consolidated contributions of all the *Agniveers* and matching contributions of the Central Government along with interest on both these contributions are held.'

Amendment of section 80G. **40.** In section 80G of the Income-tax Act,—

(I) in sub-section (2), in clause (a), sub-clauses (ii), (iiic) and (iiid) shall be omitted with effect from the 1st day of April, 2024;

(II) in sub-section (5),—

(A) with effect from the 1st day of October, 2023,—

(i) in the first proviso, for clause (iv), the following clause shall be substituted, namely:—

"(iv) in any other case, where activities of the institution or fund have—

(A) not commenced, at least one month prior to the commencement of the previous year relevant to the assessment year from which the said approval is sought;

(B) commenced and where no income or part thereof of the said institution or fund has been excluded from the total income on account of applicability of sub-clause (iv) or sub-clause (v) or sub-clause (vi) or sub-clause (via) of



clause (23C) of section 10 or section 11 or section 12 for any previous year ending on or before the date of such application, at any time after the commencement of such activities:";

(ii) in the second proviso,—

(a) in clause (ii),—

(I) in the opening portion, after the word, brackets and figures "clause (iii)", the words, brackets, letter and figures "or sub-clause (B) of clause (iv)" shall be inserted;

(2) in sub-clause (b), for item (B), the following item shall be substituted, namely:—

"(B) if he is not so satisfied, pass an order in writing,—

(I) in a case referred to in clause (ii) or clause (iii) of the first proviso, rejecting such application and cancelling its approval; or

(II) in a case referred to in sub-clause (B) of clause (iv) of the first proviso, rejecting such application,

after affording it a reasonable opportunity of being heard;"

(b) for clause (iii), the following clause shall be substituted, namely:—

"(iii) where the application is made under sub-clause (A) of clause (iv) of the said proviso or the application is made under clause (iv) of the said proviso as it stood immediately before its amendment *vide* the Finance Act, 2023, pass an order in writing granting it approval provisionally for a period of three years from the assessment year from which the approval is sought;"

(B) in the third proviso, for the words "first proviso", the words "second proviso" shall be substituted.

**41.** In section 80-IAC of the Income-tax Act, in the *Explanation*, in clause (ii), in sub-clause (a), for the figures "2023", the figures "2024" shall be substituted. Amendment of section 80-IAC.

**42.** In section 80LA of the Income-tax Act, in sub-section (1), after clause (b), the following proviso shall be inserted, namely:— Amendment of section 80LA.

"Provided that for the assessment year commencing on or after the 1st day of April, 2023, the deduction under this clause shall be one hundred per cent. of such income."

**43.** In section 87 of the Income-tax Act,— Amendment of section 87.

(a) in sub-section (1), the figures and letters ", 88, 88A, 88B, 88C, 88D" shall be omitted;

(b) in sub-section (2), the words, figures and letters "or section 88 or section 88A or section 88B or section 88C or section 88D" shall be omitted.



- Amendment of section 87A. **44.** In section 87A of the Income-tax Act, the following proviso shall be inserted with effect from the 1st day of April, 2024, namely:—
- "Provided that where the total income of the assessee is chargeable to tax under sub-section (1A) of section 115BAC, and the total income—
- (a) does not exceed seven hundred thousand rupees, the assessee shall be entitled to a deduction from the amount of income-tax (as computed before allowing for the deductions under this Chapter) on his total income with which he is chargeable for any assessment year, of an amount equal to one hundred per cent. of such income-tax or an amount of twenty-five thousand rupees, whichever is less;
- (b) exceeds seven hundred thousand rupees and the income-tax payable on such total income exceeds the amount by which the total income is in excess of seven hundred thousand rupees, the assessee shall be entitled to a deduction from the amount of income-tax (as computed before allowing the deductions under this Chapter) on his total income, of an amount equal to the amount by which the income-tax payable on such total income is in excess of the amount by which the total income exceeds seven hundred thousand rupees."
- Omission of section 88. **45.** Section 88 of the Income-tax Act shall be omitted.
- Amendment of section 92BA. **46.** In section 92BA of the Income-tax Act, after clause (va), the following clause shall be inserted with effect from the 1st day of April, 2024, namely:—
- "(vb) any business transacted between the assessee and other person as referred to in sub-section (4) of section 115BAE;"
- Amendment of section 92D. **47.** In section 92D of the Income-tax Act, in sub-section (3), for the words "period of thirty days" at both the places where they occur, the words "period of ten days" shall be substituted.
- Amendment of section 94B. **48.** In section 94B of the Income-tax Act, with effect from the 1st day of April, 2024,—
- (i) in sub-section (3), after the words "banking or insurance", the words "or such class of non-banking financial companies as may be notified by the Central Government in the Official Gazette in this behalf" shall be inserted;
- (ii) in sub-section (5), after clause (ii), the following clause shall be inserted, namely:—
- '(iia) "non-banking financial company" shall have the meaning assigned to it in clause (vii) of the *Explanation* to clause (viiia) of sub-section (1) of section 36;'.
- Amendment of section 111A. **49.** In section 111A of the Income-tax Act, sub-section (3) shall be omitted.
- Amendment of section 112. **50.** In section 112 of the Income-tax Act, sub-section (3) shall be omitted.
- Amendment of section 115A. **51.** In section 115A of the Income-tax Act, in sub-section (1), with effect from the 1st day of April, 2024,—
- (i) in clause (a), in sub-clause (A), the following proviso shall be inserted, namely:—
- "Provided that the amount of income-tax calculated on the amount of income by way of dividend received from a Unit in an International Financial Services Centre, as referred to in sub-section (1A) of section 80LA, shall be ten per cent.;"

(ii) in clause (b), in sub-clauses (A) and (B), for the word "ten", the word "twenty" shall be substituted.

**52.** In section 115BAC of the Income-tax Act,—

Amendment of  
section  
115BAC.

(A) with effect from the 1st day of April, 2024,—

(a) in the marginal heading, for the words "and Hindu undivided family", the words ", Hindu undivided family and others" shall be substituted;

(b) in sub-section (1), for the figures, letters and words "1st day of April, 2021", the figures, letters and words "1st day of April, 2021 but before the 1st day of April, 2024" shall be substituted;

(c) after sub-section (1), the following sub-section shall be inserted, namely:—

"(1A) Notwithstanding anything contained in this Act but subject to the provisions of this Chapter, the income-tax payable in respect of the total income of a person, being an individual or Hindu undivided family or association of persons (other than a co-operative society), or body of individuals, whether incorporated or not, or an artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2, other than a person who has exercised an option under sub-section (6), for any previous year relevant to the assessment year beginning on or after the 1st day of April, 2024, shall be computed at the rate of tax given in the following Table, namely:—

**TABLE**

<i>Sl. No.</i>	<i>Total income</i>	<i>Rate of tax</i>
(1)	(2)	(3)
1.	Upto Rs.3,00,000	Nil
2.	From Rs.3,00,001 to Rs.6,00,000	5 per cent.
3.	From Rs.6,00,001 to Rs.9,00,000	10 per cent.
4.	From Rs.9,00,001 to Rs.12,00,000	15 per cent.
5.	From Rs.12,00,001 to Rs.15,00,000	20 per cent.
6.	Above Rs.15,00,000	30 per cent.";

(B) with effect from the 1st day of April, 2023, in sub-section (2), in clause (i), after the words, figures and letters "section 80CCD or", the words, brackets, figures and letters "sub-section (2) of section 80CCH or" shall be inserted;

(C) with effect from the 1st day of April, 2024,—

(a) in sub-section (2), for the opening portion and clause (i) thereof, the following shall be substituted, namely:—

"(2) For the purposes of sub-section (1A), the total income of the person referred to therein, shall be computed—

(i) without any exemption or deduction under the provisions of clause (5) or clause (13A) or prescribed under clause (14) (other

than those as may be prescribed for this purpose) or clause (17) or clause (32), of section 10 or section 10AA or clause (ii) or clause (iii) of section 16 or clause (b) of section 24 [in respect of the property referred to in sub-section (2) of section 23] or clause (iia) of sub-section (1) of section 32 or section 32AD or section 33AB or section 33ABA or sub-clause (ii) or sub-clause (iia) or sub-clause (iii) of sub-section (1) or sub-section (2AA) of section 35 or section 35AD or section 35CCC or under any of the provisions of Chapter VI-A other than the provisions of sub-section (2) of section 80CCD or sub-section (2) of section 80CCH or section 80JJAA;"

(b) in sub-section (3), after the proviso, the following proviso shall be inserted, namely:—

"Provided further that in a case where,—

(i) the assessee has not exercised the option under sub-section (5) for any previous year relevant to the assessment year beginning on or before the 1st day of April, 2023;

(ii) the income-tax on the total income of the assessee is computed under sub-section (1A); and

(iii) there is a depreciation allowance in respect of a block of assets which has not been given full effect prior to the assessment year beginning on the 1st day of April, 2024,

corresponding adjustment shall be made to the written down value of such block of assets as on the 1st day of April, 2023 in the manner as may be prescribed.";

(c) for sub-section (4), the following sub-section shall be substituted, namely:—

'(4) In case of a person, having a Unit in the International Financial Services Centre, as referred to in sub-section (1A) of section 80LA,—

(i) who has exercised option under sub-section (5) for any previous year relevant to the assessment year beginning on or after the 1st day of April, 2021 but before the 1st day of April, 2024;

(ii) whose total income is computed under sub-section (1A),

the conditions contained in sub-section (2) shall be modified to the extent that the deduction under section 80LA shall be available to such Unit subject to fulfilment of the conditions contained in the said section.

*Explanation.*—For the purposes of this sub-section, the term "Unit" shall have the meaning assigned to it in clause (zc) of section 2 of the Special Economic Zones Act, 2005.;

28 of 2005.

(d) in sub-section (5), after the proviso, the following proviso shall be inserted, namely:—

"Provided further that the provisions of this sub-section shall not apply for any previous year relevant to the assessment year beginning on or after the 1st day of April, 2024.";

(e) after sub-section (5), the following sub-section shall be inserted, namely:—

"(6) Nothing contained in sub-section (1A) shall apply to a person where an option is exercised by such person, in the manner as may be prescribed, for any assessment year, and such option is exercised,—

(i) on or before the due date specified under sub-section (1) of section 139 for furnishing the return of income for such assessment year, in case of a person having income from business or profession, and such option once exercised shall apply to subsequent assessment years; or

(ii) along with the return of income to be furnished under sub-section (1) of section 139 for such assessment year, in case of a person not having income referred to in clause (i):

Provided that the option under clause (i), once exercised for any previous year can be withdrawn only once for a previous year other than the year in which it was exercised and thereafter, the person shall never be eligible to exercise the option under this sub-section, except where such person ceases to have any income from business or profession in which case, option under clause (ii) shall be available."

**53.** In section 115BAD of the Income-tax Act, in sub-section (1), after the words "provisions of this Chapter," the words, figures and letters "other than those mentioned under section 115BAE," shall be inserted with effect from the 1st day of April, 2024. Amendment of section 115BAD.

**54.** After section 115BAD of the Income-tax Act, with effect from the 1st day of April, 2024, the following section shall be inserted, namely:— Insertion of new section 115BAE.

"115BAE. (1) Notwithstanding anything contained in this Act but subject to the provisions of this Chapter, other than those mentioned under section 115BAD, the income-tax payable in respect of the total income of an assessee, being a co-operative society resident in India, for any previous year relevant to the assessment year beginning on or after the 1st day of April, 2024, shall, at the option of such assessee, be computed at the rate of fifteen per cent. if the conditions contained in sub-section (2) are satisfied: Tax on income of certain new manufacturing co-operative societies.

Provided that where the total income of the assessee includes any income, which has neither been derived from nor is incidental to, manufacturing or production of an article or thing and in respect of which no specific rate of tax has been provided separately under this Chapter, such income shall be taxed at the rate of twenty-two per cent. and no deduction or allowance in respect of any expenditure or allowance shall be made in computing such income:

Provided further that the income-tax payable in respect of the income, of the assessee deemed so under the second proviso to sub-section (4) shall be computed at the rate of thirty per cent.:

Provided also that the income-tax payable in respect of income, being short term capital gains derived from transfer of a capital asset on which no depreciation is allowable under the Act shall be computed at the rate of twenty-two per cent.:

Provided also that where the assessee fails to satisfy the conditions contained in sub-section (2) in any previous year, the option shall become invalid in respect of

the assessment year relevant to that previous year and subsequent assessment years and other provisions of the Act shall apply to the assessee as if the option had not been exercised for the assessment year relevant to that previous year and subsequent assessment years.

(2) For the purposes of sub-section (1), the following conditions shall apply, namely:—

(a) the co-operative society has been set-up and registered on or after the 1st day of April, 2023, and has commenced manufacturing or production of an article or thing on or before the 31st day of March, 2024 and,—

(i) the business is not formed by splitting up, or the reconstruction, of a business already in existence;

(ii) does not use any machinery or plant previously used for any purpose.

*Explanation 1.*—For the purposes of sub-clause (ii), any machinery or plant which was used outside India by any other person shall not be regarded as machinery or plant previously used for any purpose, if the following conditions are fulfilled, namely:—

(A) such machinery or plant was not, at any time previous to the date of the installation, used in India;

(B) such machinery or plant is imported into India from any country outside India; and

(C) no deduction on account of depreciation in respect of such machinery or plant has been allowed or is allowable under the provisions of this Act in computing the total income of any person for any period prior to the date of installation of machinery or plant by the person.

*Explanation 2.*—Where any machinery or plant or any part thereof previously used for any purpose is put to use by the assessee and the total value of such machinery or plant or part thereof does not exceed twenty per cent. of the total value of the machinery or plant used by the assessee, then, for the purposes of sub-clause (ii), the condition specified therein shall be deemed to have been complied with;

(b) the assessee is not engaged in any business other than the business of manufacture or production of any article or thing and research in relation to, or distribution of, such article or thing manufactured or produced by it.

*Explanation.*—For the removal of doubts, it is hereby clarified that the business of manufacture or production of any article or thing shall include the business of generation of electricity, but not include a business of,—

(i) development of computer software in any form or in any media;

(ii) mining;

(iii) conversion of marble blocks or similar items into slabs;

(iv) bottling of gas into cylinder;

(v) printing of books or production of cinematograph film; or

(vi) any other business as may be notified by the Central Government in this behalf;

(c) the total income of the assessee has been computed,—

(i) without any deduction under the provisions of section 10AA or clause (iia) of sub-section (1) of section 32 or section 33AB or section 33ABA or sub-clause (ii) or sub-clause (iia) or sub-clause (iii) of sub-section (1) or sub-section (2AA) of section 35 or section 35AD or section 35CCC or under any of the provisions of Chapter VI-A other than the provisions of section 80JJAA;

(ii) without set off of any loss carried forward or depreciation from any earlier assessment year, if such loss or depreciation is attributable to any of the deductions referred to in clause (i); and

(iii) by claiming the depreciation, if any, under section 32, other than clause (iia) of sub-section (1) of the said section, determined in such manner as may be prescribed.

(3) The loss and depreciation referred to in sub-clause (ii) of clause (c) of sub-section (2) shall be deemed to have been given full effect to and no further deduction for such loss shall be allowed for any subsequent year.

(4) Where it appears to the Assessing Officer that, owing to the close connection between the assessee to which this section applies and any other person, or for any other reason, the course of business between them is so arranged that the business transacted between them produces to the assessee more than the ordinary profits which might be expected to arise in such business, the Assessing Officer shall, in computing the profits and gains of such business for the purposes of this section, take the amount of profits as may be reasonably deemed to have been derived therefrom:

Provided that in case the aforesaid arrangement involves a specified domestic transaction referred to in section 92BA, the amount of profits from such transaction shall be determined having regard to arm's length price as defined in clause (ii) of section 92F:

Provided further that the amount, being profits in excess of the amount of the profits determined by the Assessing Officer, shall be deemed to be the income of the assessee.

(5) Nothing contained in this section shall apply unless the option is exercised by the person in the prescribed manner on or before the due date specified under sub-section (1) of section 139 for furnishing the first of the returns of income for any previous year relevant to the assessment year commencing on or after the 1st day of April, 2024, and such option once exercised shall apply to subsequent assessment years:

Provided that once the option has been exercised for any previous year shall not be allowed to be withdrawn for the same or any other previous year."

**55.** In section 115BB of the Income-tax Act, for the *Explanation*, the following shall be substituted with effect from the 1st day of April, 2024, namely:— Amendment of section 115BB.

'Provided that nothing contained in this section shall apply to income by way of winnings from any online game for the assessment year beginning on or after the 1st day of April, 2024.

*Explanation.*—For the purposes of this section,—

(i) "horse race" shall have the meaning assigned to it in section 74A;

(ii) "online game" shall have the meaning assigned to it in section 115BBJ.'

**56.** After section 115BBI of the Income-tax Act, the following section shall be inserted with effect from the 1st day of April, 2024, namely:— Insertion of new section 115BBJ.

'115BBJ. Notwithstanding anything contained in any other provisions of this Act, where the total income of an assessee includes any income by way of winnings from any online game, the income-tax payable shall be the aggregate of— Tax on winnings from online games.

(i) the amount of income-tax calculated on net winnings from such online games during the previous year, computed in the manner as may be prescribed, at the rate of thirty per cent.; and



(ii) the amount of income-tax with which the assessee would have been chargeable had his total income been reduced by the net winnings referred to in clause (i).

*Explanation.*—For the purposes of this section,—

(i) "computer resource" shall have the same meaning as assigned to it in clause (e) of the *Explanation* to section 144B;

(ii) "internet" means the combination of computer facilities and electromagnetic transmission media, and related equipment and software, comprising the interconnected worldwide network of computer networks that transmits information based on a protocol for controlling such transmission;

(iii) "online game" means a game that is offered on the internet and is accessible by a user through a computer resource including any telecommunication device.'.

Amendment of section 115JC. **57.** In section 115JC of the Income-tax Act, for sub-section (5), the following sub-section shall be substituted with effect from the 1st day of April, 2024, namely:—

"(5) The provisions of this section shall not apply to a person, where—

(i) such person has exercised the option referred to in sub-section (5) of section 115BAC or sub-section (5) of section 115BAD or sub-section (5) of section 115BAE; or

(ii) income-tax payable in respect of the total income of such person is computed under sub-section (1A) of section 115BAC."

Amendment of section 115JD. **58.** In section 115JD of the Income-tax Act, for sub-section (7), the following sub-section shall be substituted with effect from the 1st day of April, 2024, namely:—

"(7) The provisions of this section shall not apply to a person, where—

(i) such person has exercised the option referred to in sub-section (5) of section 115BAC or sub-section (5) of section 115BAD or sub-section (5) of section 115BAE; or

(ii) income-tax payable in respect of the total income of such person is computed under sub-section (1A) of section 115BAC."

Amendment of section 115TD. **59.** In section 115TD of the Income-tax Act,—

(i) in sub-section (3),—

(a) in clause (ii), in sub-clause (b), for the word "rejected.", the words "rejected; or" shall be substituted;

(b) after clause (ii), the following clause shall be inserted, namely:—

"(iii) it fails to make an application in accordance with the provisions of clause (i) or clause (ii) or clause (iii) of the first proviso to clause (23C) of section 10 or sub-clause (i) or sub-clause (ii) or sub-clause (iii) of clause (ac) of sub-section (1) of section 12A, within the period specified in the said clauses or sub-clauses, as the case may be, which expires in the said previous year.";

(ii) in sub-section (5), in clause (ii), after the word, brackets and figures "clause (ii)", the words, brackets and figures "clause (ii), or clause (iii)," shall be inserted;

(iii) in the *Explanation*, in clause (i),—

(a) in sub-clause (b), after the word, brackets and figure "sub-section (3);", the word "or" shall be inserted;

(b) after sub-clause (b), the following sub-clause shall be inserted, namely:—

"(c) the last date for making an application for registration under sub-clause (i) or sub-clause (ii) or sub-clause (iii) of clause (ac) of sub-section (1) of section 12A or for making an application for approval under clause (i) or clause (ii) or clause (iii) of the first proviso to clause (23C) of section 10, as the case may be, in a case referred to in clause (iii) of sub-section (3);".

**60.** In section 115UA of the Income-tax Act, after sub-section (3), the following sub-section shall be inserted with effect from the 1st day of April, 2024, namely:— Amendment of section 115UA.

"(3A) The provisions of sub-section (1) shall not apply in respect of any sum referred to in clause (xii) of sub-section (2) of section 56, received by a unit holder from a business trust."

15 of 1992. **61.** In section 115UB of the Income-tax Act, in *Explanation* 1, in clause (a), after the words and figures "Securities and Exchange Board of India Act, 1992 or", the words, brackets and figures "regulated under the International Financial Services Centres Authority (Fund Management) Regulations, 2022 made" shall be inserted. Amendment of section 115UB.

**62.** In section 115VP of the Income-tax Act,— Amendment of section 115VP.

(i) In sub-section (2), after the proviso, the following proviso shall be inserted, namely:—

"Provided further that a Unit of an International Financial Services Centre which has availed of deduction under section 80LA may make an application within three months from the date on which such deduction ceases.";

(ii) after sub-section (5), the following *Explanation* shall be inserted, namely:—

28 of 2005. *Explanation.*—For the purposes of this section "International Financial Services Centre" shall have the same meaning as assigned to it in clause (q) of section 2 of the Special Economic Zones Act, 2005.'.

**63.** In section 116 of the Income-tax Act, in clause (cca), after the words "Joint Commissioners of Income-tax", the words and brackets "or Joint Commissioners of Income-tax (Appeals)" shall be inserted. Amendment of section 116.

**64.** In section 119 of the Income-tax Act, for the words and brackets "the Commissioner (Appeals)" and "a Commissioner (Appeals)", the words and brackets "the Joint Commissioner (Appeals) or the Commissioner (Appeals)" and "a Joint Commissioner (Appeals) or a Commissioner (Appeals)" shall respectively be substituted. Amendment of section 119.

**65.** In section 131 of the Income-tax Act, for the words and brackets ", Commissioner (Appeals)", the words and brackets ", Joint Commissioner (Appeals), Commissioner (Appeals)" shall be substituted. Amendment of section 131.

**66.** In section 132 of the Income-tax Act,— Amendment of section 132.

(a) for sub-section (2), the following sub-section shall be substituted, namely:—

"(2) The authorised officer may requisition the services of,—

(i) any police officer or of any officer of the Central Government, or of both; or

(ii) any person or entity as may be approved by the Principal Chief Commissioner or the Chief Commissioner or the Principal Director General or the Director General, in accordance with the procedure, as may be prescribed, in this regard,

to assist him for all or any of the purposes specified in sub-section (1) or sub-section (1A) and it shall be the duty of every such officer or person or entity to comply with such requisition.";

(b) for sub-section (9D), the following sub-section shall be substituted, namely:—

"(9D) The authorised officer may, during the course of the search or seizure or within a period of sixty days from the date on which the last of the authorisations for search was executed, make a reference to,—

(i) a Valuation Officer referred to in section 142A; or

(ii) any other person or entity or any valuer registered by or under any law for the time being in force, as may be approved by the Principal Chief Commissioner or the Chief Commissioner or the Principal Director General or the Director General, in accordance with the procedure, as may be prescribed, in this regard,

who shall estimate the fair market value of the property in the manner as may be prescribed, and submit a report of the estimate to the authorised officer or the Assessing Officer, as the case may be, within a period of sixty days from the date of receipt of such reference.";

(c) for *Explanation 1*, the following *Explanation* shall be substituted and shall be deemed to have been substituted with effect from the 1st day of April, 2022, namely:—

"*Explanation 1.*—For the purposes of sub-sections (9A), (9B) and (9D), the last of authorisation for search shall be deemed to have been executed,—

(a) in the case of search, on the conclusion of search as recorded in the last *panchnama* drawn in relation to any person in whose case the warrant of authorisation has been issued; or

(b) in the case of requisition under section 132A, on the actual receipt of the books of account or other documents or assets by the authorised officer."

Amendment of section 133. **67.** In section 133 of the Income-tax Act, for the words and brackets "the Commissioner (Appeals)" wherever they occur, the words and brackets "the Joint Commissioner (Appeals) or the Commissioner (Appeals)" shall be substituted.

Amendment of section 134. **68.** In section 134 of the Income-tax Act, for the words and brackets "the Commissioner (Appeals)" at both the places where they occur, the words and brackets "the Joint Commissioner (Appeals) or the Commissioner (Appeals)" shall be substituted.

Amendment of section 135A. **69.** In section 135A of the Income-tax Act, in sub-section (2), after the proviso, the following proviso shall be inserted and shall be deemed to have been inserted with effect from the 1st day of April, 2022, namely:—

"Provided further that the Central Government may amend any direction, issued under this sub-section on or before the 31st day of March, 2022, by notification in the Official Gazette."

Amendment of section 140B. **70.** In section 140B of the Income-tax Act, in sub-section (4), with effect from the 1st day of April, 2022,—

(i) in the opening portion, the words "or, as the case may be, on the amount by which the advance tax paid falls short of the assessed tax," shall be omitted and shall be deemed to have been omitted;

(ii) in clause (a), in sub-clause (i), after the words "earlier return", the words ", if any" shall be inserted and shall be deemed to have been inserted.

Amendment of section 142. **71.** In section 142 of the Income-tax Act,—

(a) for sub-section (2A), the following sub-section shall be substituted, namely:—

"(2A) If, at any stage of the proceedings before him, the Assessing Officer, having regard to the nature and complexity of the accounts, volume of the accounts, doubts about the correctness of the accounts, multiplicity of transactions in the accounts or specialised nature of business activity of the assessee, and the interests of the revenue, is of the opinion that it is necessary so to do, he may, with the previous approval of the Principal Chief Commissioner or Chief Commissioner or Principal Commissioner or Commissioner, direct the assessee to get either or both of the following, namely:—

(i) to get the accounts audited by an accountant, as defined in the *Explanation* below sub-section (2) of section 288, nominated by the Principal Chief Commissioner or Chief Commissioner or Principal Commissioner or Commissioner in this behalf and to furnish a report of such audit in the prescribed form duly signed and verified by such accountant and setting forth such particulars, as may be prescribed, and such other particulars as the Assessing Officer may require;

(ii) to get the inventory valued by a cost accountant, nominated by the Principal Chief Commissioner or Chief Commissioner or Principal Commissioner or Commissioner in this behalf and to furnish a report of such inventory valuation in the prescribed form duly signed and verified by such cost accountant and setting forth such particulars, as may be prescribed, and such other particulars as the Assessing Officer may require:

Provided that the Assessing Officer shall not direct the assessee to get the accounts so audited or inventory so valued unless the assessee has been given a reasonable opportunity of being heard.";

(b) in sub-section (2D),—

(i) for the words, brackets, figure and letter "audit under sub-section (2A) (including the remuneration of the accountant)", the words, brackets, figure and letter "audit or inventory valuation under sub-section (2A) (including the remuneration of the accountant or the cost accountant, as the case may be)" shall be substituted;

(ii) in the proviso,—

(I) for the words "audit under", the words "audit or inventory valuation under" shall be substituted;

(II) for the words and brackets "such audit (including remuneration of the accountant)", the words and brackets "such audit or inventory valuation (including the remuneration of the accountant or the cost accountant, as the case may be)" shall be substituted;

(c) in sub-section (3), after the word "audit", the words "or inventory valuation" shall be inserted;

(d) after sub-section (4), the following *Explanation* shall be inserted, namely:—

*'Explanation.*—For the purposes of this section, "cost accountant" means a cost accountant as defined in clause (b) of sub-section (1) of section 2 of the Cost and Works Accountants Act, 1959 and who holds a valid certificate of practice under sub-section (1) of section 6 of the said Act.'

23 of 1959.

**72.** In section 148 of the Income-tax Act,—

Amendment of  
section 148.

(a) for the words "such period, as may be specified in such notice", the words "a period of three months from the end of the month in which such notice is issued, or such further period as may be allowed by the Assessing Officer on the basis of an application made in this regard by the assessee" shall be substituted;

(b) after the second proviso and before *Explanation 1*, the following proviso shall be inserted, namely:—

"Provided also that any return of income, required to be furnished by an assessee under this section and furnished beyond the period allowed shall not be deemed to be a return under section 139."

**73.** In section 149 of the Income-tax Act, in sub-section (1),—

Amendment of  
section 149.

(I) after the second proviso, the following provisos shall be inserted, namely:—

"Provided also that for cases referred to in clauses (i), (iii) and (iv) of *Explanation 2* to section 148, where,—

(a) a search is initiated under section 132; or

(b) a search under section 132 for which the last of authorisations is executed; or

(c) requisition is made under section 132A,

after the 15th day of March of any financial year and the period for issue of notice under section 148 expires on the 31st day of March of such financial year, a period of fifteen days shall be excluded for the purpose of computing the period of limitation as per this section and the notice issued under section 148 in such case shall be deemed to have been issued on the 31st day of March of such financial year:

Provided also that where the information as referred to in *Explanation 1* to section 148 emanates from a statement recorded or documents impounded under section 131 or section 133A, as the case may be, on or before the 31st day of March of a financial year, in consequence of,—

- (a) a search under section 132 which is initiated; or
- (b) a search under section 132 for which the last of authorisations is executed; or
- (c) a requisition made under section 132A,

after the 15th day of March of such financial year, a period of fifteen days shall be excluded for the purpose of computing the period of limitation as per this section and the notice issued under clause (b) of section 148A in such case shall be deemed to have been issued on the 31st day of March of such financial year:";

(II) in the sixth proviso, for the words "less than seven days", the words "does not exceed seven days" shall be substituted.

Amendment of  
section 151.

**74.** In section 151 of the Income-tax Act,—

(a) in clause (ii), the words "where there is no Principal Chief Commissioner or Principal Director General," shall be omitted;

(b) after clause (ii), the following proviso shall be inserted, namely:—

"Provided that the period of three years for the purposes of clause (i) shall be computed after taking into account the period of limitation as excluded by the third or fourth or fifth provisos or extended by the sixth proviso to sub-section (1) of section 149."

Amendment of  
section 153.

**75.** In section 153 of the Income-tax Act,—

(I) in sub-section (1),—

(a) in the third proviso, the words "or after" shall be omitted;

(b) after the third proviso, the following proviso shall be inserted, namely:—

"Provided also that in respect of an order of assessment relating to the assessment year commencing on or after the 1st day of April, 2022, the provisions of this sub-section shall have effect, as if for the words "twenty-one months", the words "twelve months" had been substituted.";

(II) in sub-section (1A), for the words "nine months", the words "twelve months" shall be substituted;

(III) in sub-section (3),—

(a) for the words, brackets and figures "sub-sections (1) and (2)", the words, brackets, figures and letter "sub-sections (1), (1A) and (2)" shall be substituted;

(b) for the words "Principal Commissioner or Commissioner" at both the places where they occur, the words "Principal Chief Commissioner or Chief Commissioner or Principal Commissioner or Commissioner, as the case may be," shall be substituted;

(IV) after sub-section (3), the following sub-section shall be inserted, namely:—

"(3A) Notwithstanding anything contained in sub-sections (1), (1A), (2) and (3), where an assessment or reassessment is pending on the date of initiation of search under section 132 or making of requisition under section 132A, the

period available for completion of assessment or reassessment, as the case may be, under the said sub-sections shall,—

(a) in a case where such search is initiated under section 132 or such requisition is made under section 132A;

(b) in the case of an assessee, to whom any money, bullion, jewellery or other valuable article or thing seized or requisitioned belongs to;

(c) in the case of an assessee, to whom any books of account or documents seized or requisitioned pertains or pertain to, or any information contained therein, relates to,

be extended by twelve months.";

(V) in sub-section (4), for the words, brackets and figures "sub-sections (1), (2) and (3)" at both the places where they occur, the words, brackets, figures and letters "sub-sections (1), (1A), (2), (3) and (3A)" shall be substituted;

(VI) in sub-section (5), for the words "the Principal Commissioner or Commissioner", the words "the Principal Chief Commissioner or Chief Commissioner or Principal Commissioner or Commissioner, as the case may be," shall be substituted;

(VII) in sub-section (6),—

(a) in the opening portion, for the words, brackets and figures "sub-sections (1) and (2)", the words, brackets, figures and letter "sub-sections (1), (1A) and (2)" shall be substituted;

(b) in clause (i), after the words "passed by the", the words "Principal Chief Commissioner or Chief Commissioner or" shall be inserted;

(VIII) in *Explanation 1*,—

(a) in clause (iv),—

(i) in the opening portion, after the word "audited", the words "or inventory valued" shall be inserted;

(ii) in sub-clause (a), after the words "such audit", the words "or inventory valuation" shall be inserted;

(b) in the first proviso, for the word, brackets and figures "sub-sections (1), (2)", the word, brackets, figures and letter "sub-sections (1), (1A), (2)" shall be substituted.

**76.** In section 154 of the Income-tax Act, in sub-section (2), in clause (b), for the words and brackets "the Commissioner (Appeals)", the words and brackets "the Joint Commissioner (Appeals) or the Commissioner (Appeals)" shall be substituted. Amendment of section 154.

**77.** In section 155 of the Income-tax Act,—

(a) in sub-section (11A), after the words, figures and letter "section 10A or" at both the places where they occur, the words, figures and letters "section 10AA or" shall be inserted with effect from the 1st day of April, 2024;

(b) after sub-section (18), the following sub-section shall be inserted, namely:—

"(19) Where any deduction in respect of any expenditure incurred for the purchase of sugarcane has been claimed by an assessee, being a co-operative society engaged in the business of manufacture of sugar, and such deduction has been disallowed wholly or partly in any previous year commencing on or before the 1st day of April, 2014, the Assessing Officer shall, on the basis of an application made by such assessee in this regard, recompute the total income of the assessee for such previous year after allowing deduction to the extent such expenditure is incurred at a price which is equal to or less than the price fixed or approved by the Government for that previous year, and the provisions of section 154 shall, so far as may be, apply thereto, and the period of four years specified in sub-section (7) of that section shall be reckoned from the end of previous year commencing on the 1st day of April, 2022.";

Amendment of section 155.



(c) after sub-section (19) and before the *Explanation*, the following sub-section shall be inserted with effect from the 1st day of October, 2023, namely:—

"(20) Where any income has been included in the return of income furnished by an assessee under section 139 for any assessment year (herein referred to as the relevant assessment year) and tax on such income has been deducted at source and paid to the credit of the Central Government in accordance with the provisions of Chapter XVII-B in a subsequent financial year, the Assessing Officer shall, on an application made by the assessee in such form, as may be prescribed, within a period of two years from the end of the financial year in which such tax was deducted at source, amend the order of assessment or any intimation allowing credit of such tax deducted at source in the relevant assessment year, and the provisions of section 154 shall, so far as may be, apply thereto and the period of four years specified in sub-section (7) of that section shall be reckoned from the end of the financial year in which such tax has been deducted:

Provided that the credit of such tax deducted at source shall not be allowed in any other assessment year."

Amendment of section 158A. **78.** In section 158A of the Income-tax Act, in the *Explanation*, for the words and brackets "the Commissioner (Appeals)", the words and brackets "the Joint Commissioner (Appeals) or the Commissioner (Appeals)" shall be substituted.

Amendment of section 158AB. **79.** In section 158AB of the Income-tax Act, for the words and brackets "the Commissioner (Appeals)" wherever they occur, the words and brackets "the Joint Commissioner (Appeals) or the Commissioner (Appeals)" shall be substituted.

Substitution of new section for section 170A. **80.** For section 170A of the Income-tax Act, the following section shall be substituted, namely:—

Effect of order of tribunal or court in respect of business reorganisation. **170A.** (1) Notwithstanding anything to the contrary contained in section 139, in a case of business reorganisation, where prior to the date of order of a High Court or tribunal or an Adjudicating Authority as defined in clause (1) of section 5 of the Insolvency and Bankruptcy Code, 2016 (hereinafter referred to as order in respect of business reorganisation), as the case may be, any return of income has been furnished by an entity to which such order applies under the provisions of section 139 for any assessment year relevant to the previous year to which such order applies, the successor shall furnish, within a period of six months from the end of the month in which the order was issued, a modified return in such form and manner, as may be prescribed, in accordance with and limited to the said order. 31 of 2016.

(2) Where the assessment or reassessment proceedings for an assessment year relevant to a previous year to which the order in respect of the business reorganisation applies,—

(a) have been completed on the date of furnishing of the modified return in accordance with the provisions of sub-section (1), the Assessing Officer shall pass an order modifying the total income of the relevant assessment year determined in such assessment or reassessment, in accordance with such order and taking into account the modified return so furnished;

(b) are pending on the date of furnishing of the modified return in accordance with the provisions of sub-section (1), the Assessing Officer shall pass an order assessing or reassessing the total income of the relevant assessment year in accordance with the order of the business reorganisation and taking into account the modified return so furnished.

(3) Save as otherwise provided in this section, in an assessment or reassessment made in respect of an assessment year under this section, all other provisions of this Act shall apply and the tax shall be chargeable at the rate or rates as applicable to such assessment year.

*Explanation.*—In this section, the expressions—

(i) "business reorganisation" means the reorganisation of business involving the amalgamation or demerger or merger of business of one or more persons;

(ii) "successor" means all resulting companies in a business reorganisation, whether or not the company was in existence prior to such business reorganisation.'

**81.** In section 177 of the Income-tax Act, in sub-section (2), for the words and brackets "the Commissioner (Appeals)", the words and brackets "the Joint Commissioner (Appeals) or the Commissioner (Appeals)" shall be substituted. Amendment of section 177.

**82.** In section 189 of the Income-tax Act, in sub-section (2), for the words and brackets "the Commissioner (Appeals)", the words and brackets "the Joint Commissioner (Appeals) or the Commissioner (Appeals)" shall be substituted. Amendment of section 189.

**83.** In section 192A of the Income-tax Act, the second proviso shall be omitted. Amendment of section 192A.

**84.** In section 193 of the Income-tax Act, in the proviso, for clause (ix), the following clause shall be substituted, namely:— Amendment of section 193.

'(ix) any interest payable to a "business trust", as defined in clause (13A) of section 2, in respect of any securities, by a special purpose vehicle referred to in the *Explanation* to clause (23FC) of section 10.'

**85.** In section 194B of the Income-tax Act,—

Amendment of section 194B.

(i) for the marginal heading, the following marginal heading shall be substituted, namely:—

"Winnings from lottery or crossword puzzle, etc.";

(ii) for the words "in an amount exceeding ten thousand rupees", the words "or from gambling or betting of any form or nature whatsoever, being the amount or the aggregate of amounts exceeding ten thousand rupees during the financial year" shall be substituted;

(iii) after the proviso, the following shall be inserted, namely:—

'Provided further that nothing contained in this section shall apply to deduction of income-tax on winnings from any online game on or after the 1st day of April, 2023.

*Explanation.*—For the purposes of this section, "online game" shall have the meaning assigned to it in clause (iii) of the *Explanation* to section 115BBJ'.

**86.** After section 194B of the Income-tax Act, the following section shall be inserted, Insertion of new section 194BA.

'194BA. (1) Notwithstanding anything contained in any other provisions of this Act, any person responsible for paying to any person any income by way of winnings from any online game during the financial year shall deduct income-tax on the net winnings in his user account, computed in the manner as may be prescribed, at the end of the financial year at the rates in force: Winnings from online games.

Provided that in a case where there is a withdrawal from user account during the financial year, the income-tax shall be deducted at the time of such withdrawal on the net winnings comprised in such withdrawal, as well as on the remaining amount of net winnings in the user account, computed in the manner as may be prescribed, at the end of the financial year.

(2) In a case where the net winnings are wholly in kind or partly in cash, and partly in kind but the part in cash is not sufficient to meet the liability of deduction of tax in respect of whole of the net winnings, the person responsible for paying shall, before releasing the winnings, ensure that tax has been paid in respect of the net winnings.

(3) If any difficulty arises in giving effect to the provisions of this section, the Board may, with the previous approval of the Central Government, issue guidelines for the purposes of removing the difficulty.

(4) Every guideline issued by the Board under sub-section (3) shall, as soon as may be after it is issued, be laid before each House of Parliament, and shall be binding on the income-tax authorities and on the person liable to deduct income-tax.

*Explanation.*—For the purposes of this section—

(a) "computer resource", "internet" and "online game" shall have the meanings respectively assigned to them in section 115BBJ;

(b) "online gaming intermediary" means an intermediary that offers one or more online games;

(c) "user" means any person who accesses or avails any computer resource of an online gaming intermediary;

(d) "user account" means account of a user registered with an online gaming intermediary.'.

Amendment of section 194BB. **87.** In section 194BB of the Income-tax Act, for the words "in an amount exceeding ten thousand rupees", the words ", being the amount or aggregate of amounts exceeding ten thousand rupees during the financial year," shall be substituted.

Amendment of section 194LC. **88.** In section 194LC of the Income-tax Act, with effect from the 1st day of July, 2023,—  
(i) in sub-section (1), after the proviso, the following proviso shall be inserted, namely:—

“Provided further that in case of income by way of interest referred to in clause (ic) of sub-section (2), the income-tax shall be deducted at the rate of nine per cent.”;

(ii) in sub-section (2),—

(I) in clause (ib), for the word “and”, the word “or” shall be substituted;

(II) after clause (ib), the following clause shall be inserted, namely:—

“(ic) in respect of money borrowed by it from a source outside India by way of issuance of any long-term bond or rupee denominated bond on or after the 1st day of July, 2023, which is listed only on a recognised stock exchange located in an International Financial Services Centre; and”.

Amendment of section 194N. **89.** In section 194N of the Income-tax Act, after the second proviso, the following proviso shall be inserted, namely:—

'Provided also that where the recipient is a co-operative society, the provisions of this section shall have effect, as if for the words "one crore rupees", the words "three crore rupees" had been substituted.'

Amendment of section 194R. **90.** In section 194R of the Income-tax Act, the *Explanation* shall be numbered as *Explanation 1* thereof, and after *Explanation 1* as so renumbered, the following *Explanation* shall be inserted, namely:—

"*Explanation 2.*—For the removal of doubts, it is clarified that the provisions of sub-section (1) shall apply to any benefit or perquisite, whether in cash or in kind or partly in cash and partly in kind."

Amendment of section 196A. **91.** In section 196A of the Income-tax Act, in sub-section (1), the following proviso shall be inserted, namely:—

"Provided that where an agreement referred to in sub-section (1) of section 90 or sub-section (1) of section 90A applies to the payee and if the payee has furnished a certificate referred to in sub-section (4) of section 90 or sub-section (4) of section 90A, as the case may be, then, income-tax thereon shall be deducted at the rate of twenty per cent. or at the rate or rates of income-tax provided in such agreement for such income, whichever is lower."

Amendment of section 197. **92.** In section 197 of the Income-tax Act, in sub-section (1), after the figures and letters "194LA," the figures and letters "194LBA," shall be inserted.

Amendment of section 206AB. **93.** In section 206AB of the Income-tax Act,—

(i) in sub-section (1), after the figures and letter "194B," the figures and letters "194BA," shall be inserted;

(ii) in sub-section (3), for the proviso, the following proviso shall be substituted, namely:—

"Provided that the specified person shall not include—

(i) a non-resident who does not have a permanent establishment in India; or

(ii) a person who is not required to furnish the return of income for the assessment year relevant to the said previous year and is notified by the Central Government in the Official Gazette in this behalf."

**94.** In section 206C of the Income-tax Act, in sub-section (1G), with effect from the 1st day of July, 2023,— Amendment of section 206C.

(i) in clause (a), the words "out of India" at both the places where they occur shall be omitted;

(ii) in the long line, for the word "five", the word "twenty" shall be substituted;

(iii) in the first proviso, for the words "and is for a purpose other than purchase of overseas tour program package", the words "and is for the purposes of education or medical treatment" shall be substituted;

(iv) in the second proviso, for the words "is for a purpose other than purchase of overseas tour program package", the words "is for the purposes of education or medical treatment" shall be substituted.

**95.** In section 206CC of the Income-tax Act, in sub-section (1), the following proviso shall be inserted with effect from the 1st day of July, 2023, namely:— Amendment of section 206CC.

"Provided that the rate of tax collection at source under this section shall not exceed twenty per cent."

**96.** In section 206CCA of the Income-tax Act,— Amendment of section 206CCA.

(i) in sub-section (1), the following proviso shall be inserted with effect from the 1st day of July, 2023, namely:—

"Provided that the rate of tax collection at source under this section shall not exceed twenty per cent.";

(ii) in sub-section (3), for the proviso, the following proviso shall be substituted, namely:—

"Provided that the specified person shall not include—

(i) a non-resident who does not have a permanent establishment in India; or

(ii) a person who is not required to furnish the return of income for the assessment year relevant to the said previous year and is notified by the Central Government in the Official Gazette in this behalf."

**97.** In section 241A of the Income-tax Act, the following proviso shall be inserted, namely:— Amendment of section 241A.

"Provided that the provisions of this section shall not apply from the 1st day of April, 2023."

**98.** In section 244A of the Income-tax Act,— Amendment of section 244A.

(a) in sub-section (1), in clause (a), after sub-clause (ii), the following proviso shall be inserted with effect from the 1st day of October, 2023, namely:—

"Provided that where refund arises as a result of an order passed by the Assessing Officer in consequence of an application made by the assessee under sub-section (20) of section 155, such interest shall be calculated at the rate of one-half per cent. for every month or part of a month comprised in the period from the date of such application to the date on which the refund is granted;"

(b) in sub-section (1A), the following proviso shall be inserted, namely:—

"Provided that where proceedings for assessment or reassessment are pending in respect of an assessee, in computing the period for determining the additional interest payable to such assessee under this sub-section, the period beginning from the date on which such refund is withheld by the Assessing

Officer in accordance with and subject to provisions of sub-section (2) of section 245 and ending with the date on which such assessment or reassessment is made, shall be excluded."

Substitution of new section for section 245. **99.** For section 245 of the Income-tax Act, the following section shall be substituted, namely:—

Set off and withholding of refunds in certain cases.

"245. (1) Where under any of the provisions of this Act, a refund becomes due or is found to be due to any person, the Assessing Officer or Commissioner or Principal Commissioner or Chief Commissioner or Principal Chief Commissioner, as the case may be, may, in lieu of payment of the refund, set off the amount to be refunded or any part of that amount, against the sum, if any, remaining payable under this Act by the person to whom the refund is due, after giving an intimation in writing to such person of the action proposed to be taken under this sub-section.

(2) Where a part of the refund is set off under the provisions of sub-section (1), or where no such amount is set off, and refund becomes due to a person, and the Assessing Officer, having regard to the fact that proceedings for assessment or reassessment are pending in the case of such person, is of the opinion that the grant of refund is likely to adversely affect the revenue, he may, for reasons to be recorded in writing and with the previous approval of the Principal Commissioner or the Commissioner, as the case may be, withhold the refund up to the date on which such assessment or reassessment is made."

Amendment of section 245D. **100.** In section 245D of the Income-tax Act, in sub-section (9), for clause (iv), the following clause shall be substituted and shall be deemed to have been substituted with effect from the 1st day of February, 2021, namely:—

"(iv) where the time-limit for amending any order or filing of rectification application under sub-section (6B) expires on or after the 1st day of February, 2021, but before the 1st day of February, 2022, such time-limit shall be extended to the 30th day of September, 2023."

Amendment of section 245MA. **101.** In section 245MA of the Income-tax Act, in sub-section (4), after the proviso, the following proviso shall be inserted, namely:—

"Provided further that the Central Government may amend any direction, issued under this sub-section on or before the 31st day of March, 2023, by notification in the Official Gazette."

Amendment of section 245R. **102.** In section 245R of the Income-tax Act, in sub-section (10), after the proviso, the following proviso shall be inserted, namely:—

"Provided further that the Central Government may amend any direction, issued under this sub-section on or before the 31st day of March, 2023, by notification in the Official Gazette."

Amendment of Chapter XX. **103.** In Chapter XX of the Income-tax Act,—

(a) for the sub-heading "A.—Appeals to the Deputy Commissioner (Appeals) and Commissioner (Appeals)", the sub-heading "A.—Appeals to the Joint Commissioner (Appeals) and Commissioner (Appeals)" shall be substituted;

(b) for section 246, the following section shall be substituted, namely:—

Appealable orders before Joint Commissioner (Appeals).

"246. (1) Any assessee aggrieved by any of the following orders of an Assessing Officer (below the rank of Joint Commissioner) may appeal to the Joint Commissioner (Appeals) against—

(a) an order being an intimation under sub-section (1) of section 143, where the assessee objects to the making of adjustments, or any order of assessment under sub-section (3) of section 143 or section 144, where the assessee objects to the amount of income assessed, or to the amount of tax determined, or to the amount of loss computed, or to the status under which he is assessed;

(b) an order of assessment, reassessment or recomputation under section 147;

(c) an order being an intimation under sub-section (1) of section 200A;



- (d) an order under section 201;
- (e) an order being an intimation under sub-section (6A) of section 206C;
- (f) an order under sub-section (1) of section 206CB;
- (g) an order imposing a penalty under Chapter XXI; and
- (h) an order under section 154 or section 155 amending any of the orders mentioned in clauses (a) to (g):

Provided that no appeal shall be filed before the Joint Commissioner (Appeals) if an order referred to in this sub-section is passed by or with the prior approval of, an income-tax authority above the rank of Deputy Commissioner.

(2) Where any appeal filed against an order referred to in sub-section (1) is pending before the Commissioner (Appeals), the Board or an income-tax authority so authorised by the Board in this regard, may transfer such appeal and any matter arising out of or connected with such appeal and which is so pending, to the Joint Commissioner (Appeals) who may proceed with such appeal or matter, from the stage at which it was before, it was so transferred.

(3) Notwithstanding anything contained in sub-section (1) and sub-section (2), the Board or an income-tax authority so authorised by the Board in this regard, may transfer any appeal which is pending before a Joint Commissioner (Appeals) and any matter arising out of or connected with such appeal and which is so pending, to the Commissioner (Appeals) who may proceed with such appeal or matter, from the stage at which it was before, it was so transferred.

(4) Where an appeal is transferred under the provisions of sub-section (2) or sub-section (3), the appellant shall be given an opportunity of being reheard.

(5) For the purposes of disposal of appeal by the Joint Commissioner (Appeals), the Central Government may make a scheme, by notification in the Official Gazette, so as to dispose of appeals in an expedient manner with transparency and accountability, by eliminating the interface between the Joint Commissioner (Appeals) and the appellant, in the course of appellate proceedings to the extent technologically feasible and direct that any of the provisions of this Act relating to jurisdiction and procedure for disposal of appeals by the Joint Commissioner (Appeals), shall not apply or shall apply with such exceptions, modifications and adaptations as may be specified in the notification.

(6) For the purposes of sub-section (1), the Board may specify that the provisions of that sub-section shall not apply to any case or any class of cases.

*Explanation.*—For the purposes of this section, "status" means the category under which the assessee is assessed as "individual", "Hindu undivided family" and so on.¹.

**104.** In section 249 of the Income-tax Act,—

Amendment of section 249.

(a) in sub-section (1), in the opening portion, after the figures, letters and words "1st day of October, 1998", the words, brackets, figures and letters "or to the Joint Commissioner (Appeals) on or after the 1st day of April, 2023," shall be inserted;

(b) in sub-section (3), for the words and brackets "Commissioner (Appeals)", the words and brackets "Joint Commissioner (Appeals) or the Commissioner (Appeals)" shall be substituted;

(c) in sub-section (4), in the proviso, for the words and brackets "Commissioner (Appeals)", the words and brackets "Joint Commissioner (Appeals) or the Commissioner (Appeals)" shall be substituted.

**105.** In section 250 of the Income-tax Act,—

Amendment of section 250.

(a) in sub-sections (1), (3), (4), (5), (6) and (7), for the words and brackets "Commissioner (Appeals)" wherever they occur, the words and brackets "Joint Commissioner (Appeals) or the Commissioner (Appeals)" shall be substituted;



(b) for sub-section (6A), the following sub-section shall be substituted, namely:—

"(6A) In every appeal, the Joint Commissioner (Appeals) or the Commissioner (Appeals), as the case may be, where it is possible, may hear and decide such appeal within a period of one year from the end of the financial year in which such appeal is filed before him under sub-section (1) or transferred to him under sub-section (2) or sub-section (3) of section 246 or filed before him under sub-section (1) of section 246A, as the case may be.";

(c) in sub-section (6C), after the proviso, the following proviso shall be inserted and shall be deemed to have been inserted with effect from the 1st day of April, 2022, namely:—

"Provided further that the Central Government may amend any direction, issued under this sub-section on or before the 31st day of March, 2022, by notification in the Official Gazette."

Amendment of  
section 251.

**106.** In section 251 of the Income-tax Act,—

(i) for the marginal heading, the following marginal heading "Powers of the Joint Commissioner (Appeals) or the Commissioner (Appeals)." shall be substituted;

(ii) after sub-section (1), the following sub-section shall be inserted, namely:—

"(1A) In disposing of an appeal, the Joint Commissioner (Appeals) shall have the following powers—

(a) in an appeal against an order of assessment, he may confirm, reduce, enhance or annul the assessment;

(b) in an appeal against an order imposing a penalty, he may confirm or cancel such order or vary it so as either to enhance or to reduce the penalty;

(c) in any other case, he may pass such orders in the appeal as he thinks fit.";

(iii) in sub-section (2), for the words and brackets "Commissioner (Appeals)", the words and brackets "Joint Commissioner (Appeals) or the Commissioner (Appeals), as the case may be," shall be substituted;

(iv) in the *Explanation*,—

(a) for the words and brackets "an appeal, the Commissioner (Appeals)", the words and brackets "an appeal, the Joint Commissioner (Appeals) or the Commissioner (Appeals)," shall be substituted;

(b) for the words and brackets "raised before the Commissioner (Appeals)", the words and brackets "raised before the Joint Commissioner (Appeals) or the Commissioner (Appeals), as the case may be," shall be substituted.

Amendment of  
section 253.

**107.** In section 253 of the Income-tax Act,—

(a) in sub-section (1),—

(A) in clause (a), after the word, figures and letter "section 271A," the words, figures and letters "section 271AAB, section 271AAC, section 271AAD," shall be inserted;

(B) after clause (a), the following clause shall be inserted, namely:—

"(aa) an order passed by a Joint Commissioner (Appeals) under section 154, section 250, section 270A, section 271, section 271A, section 271AAC, section 271AAD or section 271J; or";

(C) for clause (c), the following clause shall be substituted, namely:—

"(c) an order passed by,—

(i) a Principal Commissioner or Commissioner under section 12AA or section 12AB or under clause (vi) of sub-section (5) of section 80G or under section 263 or under section 270A or under section 271 or under section 272A or an order passed by him under section 154 amending any such order; or

(ii) a Principal Chief Commissioner or Chief Commissioner or a Principal Director General or Director General or a Principal Director or Director under section 263 or under section 272A or an order passed by him under section 154 amending any such order; or";

(b) in sub-section (2), for the words and brackets "Commissioner (Appeals)", the words and brackets "the Joint Commissioner (Appeals) or the Commissioner (Appeals)" shall be substituted;

(c) in sub-section (4),—

(i) for the words and brackets "against the order of the Commissioner (Appeals)", the words "against an order" shall be substituted;

(ii) for the words and brackets "any part of the order of the Commissioner (Appeals)", the words "any part of such order" shall be substituted.

**108.** In section 264 of the Income-tax Act, in sub-section (4), for the words and brackets "the Commissioner (Appeals)" wherever they occur, the words and brackets "the Joint Commissioner (Appeals) or the Commissioner (Appeals)" shall be substituted. Amendment of section 264.

**109.** In section 267 of the Income-tax Act, for the words and brackets "the Commissioner (Appeals)", the words and brackets "the Joint Commissioner (Appeals) or the Commissioner (Appeals)" shall be substituted. Amendment of section 267.

**110.** In section 269SS of the Income-tax Act,—

Amendment of section 269SS.

(a) after the second proviso and before the *Explanation*, the following proviso shall be inserted, namely:—

'Provided also that the provisions of this section shall have effect, as if for the words "twenty thousand rupees", the words "two lakh rupees" had been substituted in the case of any deposit or loan where,—

(a) such deposit is accepted by a primary agricultural credit society or a primary co-operative agricultural and rural development bank from its member; or

(b) such loan is taken from a primary agricultural credit society or a primary co-operative agricultural and rural development bank by its member.;

(b) in the *Explanation*, for clause (ii), the following clause shall be substituted, namely:—

'(ii) "co-operative bank", "primary agricultural credit society" and "primary co-operative agricultural and rural development bank" shall have the meanings respectively assigned to them in the *Explanation* to sub-section (4) of section 80P;'

**111.** In section 269T of the Income-tax Act,—

Amendment of section 269T.

(a) after the second proviso and before the *Explanation*, the following proviso shall be inserted, namely:—

'Provided also that the provisions of this section shall have effect, as if for the words "twenty thousand rupees", the words "two lakh rupees" had been substituted in the case of any deposit or loan where,—

(a) such deposit is paid by a primary agricultural credit society or a primary co-operative agricultural and rural development bank to its member; or

(b) such loan is repaid to a primary agricultural credit society or a primary co-operative agricultural and rural development bank by its member.;

(b) in the *Explanation*, for clause (ii), the following clause shall be substituted, namely:—

'(ii) "co-operative bank", "primary agricultural credit society" and "primary co-operative agricultural and rural development bank" shall have the meanings respectively assigned to them in *Explanation* to sub-section (4) of section 80P;'

Amendment of section 270A. **112.** In section 270A of the Income-tax Act, for the words and brackets "the Commissioner (Appeals)" wherever they occur, the words and brackets "the Joint Commissioner (Appeals) or the Commissioner (Appeals)" shall be substituted.

Amendment of section 270AA. **113.** In section 270AA of the Income-tax Act, in sub-section (6), after the words "No appeal under", the words and figures "section 246 or" shall be inserted.

Amendment of section 271. **114.** In section 271 of the Income-tax Act, for the words and brackets "the Commissioner (Appeals)" wherever they occur, the words and brackets "the Joint Commissioner (Appeals) or the Commissioner (Appeals)" shall be substituted.

Amendment of section 271A. **115.** In section 271A of the Income-tax Act, for the words and brackets "the Commissioner (Appeals)", the words and brackets "the Joint Commissioner (Appeals) or the Commissioner (Appeals)" shall be substituted.

Amendment of section 271AAC. **116.** In section 271AAC of the Income-tax Act, for the words and brackets "the Commissioner (Appeals)", the words and brackets "the Joint Commissioner (Appeals) or the Commissioner (Appeals)" shall be substituted.

Amendment of section 271AAD. **117.** In section 271AAD of the Income-tax Act, for the words and brackets "the Commissioner (Appeals)" at both the places where they occur, the words and brackets "the Joint Commissioner (Appeals) or the Commissioner (Appeals)" shall be substituted.

Amendment of section 271C. **118.** In section 271C of the Income-tax Act, in sub-section (I),—

(A) in clause (b),—

(I) for the words "pay the whole", the words "pay or ensure payment of, the whole" shall be substituted;

(II) in sub-clause (i), the word "or" shall be omitted;

(III) after sub-clause (ii), the following sub-clauses shall be inserted, namely:—

"(iii) the first proviso to sub-section (I) of section 194R; or

(iv) the proviso to sub-section (I) of section 194S; or";

(IV) after sub-clause (iv) as inserted by the Finance Act, 2023, the following sub-clause shall be inserted with effect from the 1st day of July, 2023, namely:—

"(v) sub-section (2) of section 194BA,";

(B) in the long line, after the words "deduct or pay", the words "or ensure payment of," shall be inserted.

Amendment of section 271FAA. **119.** Section 271FAA of the Income-tax Act shall be numbered as sub-section (I) thereof and in sub-section (I) as so renumbered, for the long line, the following shall be substituted, namely:—

"then, the prescribed income-tax authority under sub-section (I) of section 285BA may direct that such person shall pay, by way of penalty, a sum of fifty thousand rupees.

(2) Where in the case of a person, referred to in clause (k) of sub-section (I) of section 285BA, who is required to furnish a statement under that section (herein referred to as the reporting financial institution) provides inaccurate information in the statement and the inaccuracy in such statement is due to false or inaccurate information furnished by the holder or holders of the relevant reportable account or

accounts, the prescribed income-tax authority under sub-section (1) of section 285BA, shall direct that the reporting financial institution shall, in addition to the penalty under sub-section (1), if any, pay a sum of five thousand rupees for every inaccurate reportable account and the reporting financial institution shall be entitled to recover the sum so paid on behalf of such reportable account holder, or to retain out of any moneys that may be in its possession, or may come to it from every such reportable account holder, an amount equal to the sum so paid."

**120.** In section 271J of the Income-tax Act, for the words and brackets "the Commissioner (Appeals)" at both the places where they occur, the words and brackets "the Joint Commissioner (Appeals) or the Commissioner (Appeals)" shall be substituted. Amendment of section 271J.

**121.** In section 274 of the Income-tax Act, in sub-section (2B), after the proviso, the following proviso shall be inserted and shall be deemed to have been inserted with effect from the 1st day of April, 2022, namely:— Amendment of section 274.

"Provided further that the Central Government may amend any direction, issued under this sub-section on or before the 31st day of March, 2022, by notification in the Official Gazette."

**122.** In section 275 of the Income-tax Act,— Amendment of section 275.

(a) for the words and brackets "the Commissioner (Appeals)" wherever they occur, the words and brackets "the Joint Commissioner (Appeals) or the Commissioner (Appeals)" shall be substituted;

(b) for the words and brackets "to the Commissioner (Appeals)" wherever they occur, the words and brackets "to the Joint Commissioner (Appeals) or to the Commissioner (Appeals)" shall be substituted.

**123.** In section 276A of the Income-tax Act, after the proviso, the following proviso shall be inserted, namely:— Amendment of section 276A.

"Provided further that no proceeding shall be initiated under this section on or after the 1st day of April, 2023."

**124.** In section 276B of the Income-tax Act,— Amendment of section 276B.

(A) in the opening portion, the words "pay to the credit of the Central Government" shall be omitted;

(B) in clause (a), for the words "the tax deducted", the words "pay to the credit of the Central Government, the tax deducted" shall be substituted;

(C) for clause (b), the following clause shall be substituted, namely:—

'(b) pay tax or ensure payment of tax to the credit of the Central Government, as required by or under—

(i) sub-section (2) of section 115-O;

(ii) the proviso to section 194B;

(iii) the first proviso to sub-section (1) of section 194R;

(iv) the proviso to sub-section (1) of section 194S; or;

(D) after sub-clause (iv) of clause (b) as substituted by the Finance Act, 2023, the following sub-clause shall be inserted with effect from the 1st day of July, 2023, namely:—

"(v) sub-section (2) of section 194BA,".

**125.** In section 279 of the Income-tax Act, in sub-section (1), for the words and brackets "or Commissioner (Appeals)", the words and brackets "or Joint Commissioner (Appeals) or Commissioner (Appeals)" shall be substituted. Amendment of section 279.

Amendment of section 287. **126.** In section 287 of the Income-tax Act, in sub-section (2), for the words and brackets "to the Commissioner (Appeals)", the words and brackets "to the Joint Commissioner (Appeals) or to the Commissioner (Appeals)" shall be substituted.

Amendment of section 295. **127.** In section 295 of the Income-tax Act, in sub-section (2),—  
 (i) in clause (*eec*), after the word "audit", the words "or inventory valuation" shall be inserted;  
 (ii) in clause (*mm*), for the words and brackets "the Commissioner (Appeals)", the words and brackets "the Joint Commissioner (Appeals) or the Commissioner (Appeals)" shall be substituted.

#### CHAPTER IV

##### INDIRECT TAXES

###### *Customs*

Amendment of section 25. **128.** In the Customs Act, 1962 (hereinafter referred to as the Customs Act), in section 25, in sub-section (4A), after the proviso, the following proviso shall be inserted, namely:— 52 of 1962.

"Provided further that nothing contained in this sub-section shall apply to any such exemption granted to, or in relation to,—

(a) any multilateral or bilateral trade agreement;

(b) obligations under international agreements, treaties, conventions or such other obligations including with respect to United Nations agencies, diplomats and international organisations;

(c) privileges of constitutional authorities;

(d) schemes under the Foreign Trade Policy;

(e) the Central Government schemes having validity of more than two years;

(f) re-imports, temporary imports, goods imported as gifts or personal baggage;

(g) any duty of customs under any law for the time being in force, including integrated tax leviable under sub-section (7) of section 3 of the Customs Tariff Act, 1975, other than duty of customs leviable under section 12.".

51 of 1975.

Amendment of section 65. **129.** In the Customs Act, in section 65, in sub-section (1), for the words "subject to", the words, figures and letter "subject to the provisions of section 65A and" shall be substituted.

Insertion of new section 65A. **130.** After section 65 of the Customs Act, the following section shall be inserted, namely:—

Goods brought for operations in warehouse to have ordinarily paid certain taxes. '65A. (1) Notwithstanding anything to the contrary contained in this Act or the Customs Tariff Act, 1975, the following provisions shall, with effect from such date as may be notified by the Central Government, apply to goods in relation to which any manufacturing process or other operations in terms of section 65 may be carried out, namely:—

51 of 1975.

(A) the dutiable goods, which are deposited in the warehouse shall be goods on which the integrated tax under sub-section (7) and the goods and services tax compensation cess under sub-section (9), of section 3 of the Customs Tariff Act, 1975 have been paid, and only for the purpose of the duty payable, other than the said tax and cess paid, such dutiable goods shall be warehoused goods;

51 of 1975.

(B) the dutiable goods shall be permitted to be removed for the purpose of deposit in the warehouse, where—

(i) in respect of the goods, an entry thereof has been made by presenting electronically on the customs automated system, a bill of entry for home consumption under section 46 and the goods have been assessed to duty under section 17 or section 18, as the case may be, in accordance with clause (a) of sub-section (1) of section 15;

51 of 1975.

(ii) the integrated tax under sub-section (7) and the goods and services tax compensation cess under sub-section (9), of section 3 of the Customs Tariff Act, 1975 have been paid in accordance with section 47;

51 of 1975.

(iii) on removal of the goods from another warehouse in terms of section 67, a bill of entry for home consumption under clause (a) of section 68 has been presented and the integrated tax under sub-section (7), and the goods and services tax compensation cess under sub-section (9), of section 3 of the Customs Tariff Act, 1975 have been paid before the goods are so removed from that other warehouse;

(iv) the provisions of section 59, subject to the following modifications therein, have been complied with, namely:—

(a) for the words "bill of entry for warehousing", the words "bill of entry for home consumption" shall be substituted; and

(b) for the words "amount of the duty assessed", the words "amount of duty assessed, but not paid" shall be substituted;

(C) the duty payable in respect of warehoused goods referred to in clause (A), to the extent not paid, is paid before the goods are removed from the warehouse in such manner as may be prescribed.

(2) The provisions of sub-section (1) shall not apply for the purpose of manufacturing process or other operations in terms of section 65 to dutiable goods which have been deposited in the warehouse or permitted to be removed for deposit in the warehouse prior to the date notified under that sub-section.

(3) The Central Government may, if it considers necessary or expedient, and having regard to such criteria, including but not limited to, the nature or class or categories of goods, or class of importers or exporters, or industry sector, exempt, by notification, such goods in relation to which any manufacturing process or other operations in terms of section 65 may be carried out, as may be specified in the notification, from the application of this section.'

**131.** In the Customs Act, in section 127C, after sub-section (8), the following sub-section shall be inserted, namely:— Amendment of section 127C.

"(8A) The order under sub-section (5) shall be passed within a period of nine months from the last day of the month in which the application under section 127B is made, and if, no order is passed within the said period, the settlement proceedings shall abate, and the adjudicating authority before whom the proceeding at the time of making the application was pending shall dispose of the application in accordance with the provisions of this Act as if no application under the said section had been made:

Provided that the period specified under this sub-section may, for reasons to be recorded in writing, be extended by the Settlement Commission for a further period not exceeding three months:

Provided further that in respect of any application pending under sub-section (5) as on the date on which the Finance Bill, 2023 receives the assent of the President, the said period of nine months shall be reckoned from the date on which the said Finance Bill receives the assent of the President."



Amendment of section 157. **132.** In the Customs Act, in section 157, in sub-section (2), after clause (c), the following clause shall be inserted, namely:—

"(ca) the manner and conditions for payment of duty and removal of goods under clause (C) of sub-section (1) of section 65A;"

Amendment of section 159. **133.** In the Customs Act, in section 159, after the figures "43," the figures and letter "65A," shall be inserted.

#### *Customs tariff*

Amendment of sections 9, 9A and 9C. **134.** In the Customs Tariff Act, 1975, (hereinafter referred to as the Customs Tariff Act), with effect from the 1st day of January, 1995,—

(i) in section 9,—

(a) in sub-section (6), in the first proviso, for the words "in a review", the words "on consideration of a review" shall be substituted;

(b) in sub-section (7), the words "and determined" shall be omitted;

(ii) in section 9A,—

(a) in sub-section (5), in the first proviso, for the words "in a review", the words "on consideration of a review" shall be substituted;

(b) in sub-section (6), the words "and determined" shall be omitted;

(iii) in section 9C,—

(a) in sub-section (1), the words "order of" shall be omitted;

(b) in sub-section (2), for the word "order", the words "determination or review" shall be substituted;

(c) in sub-section (3), for the word "order", the words "determination or review" shall be substituted;

(d) after sub-section (5), the following *Explanation* shall be inserted, namely:—

*'Explanation.*—For the purposes of this section, "determination" or "review" means the determination or review done in such manner as may be specified in the rules made under sections 8B, 9, 9A and 9B.'

Amendment of First Schedule. **135.** In the Customs Tariff Act, the First Schedule shall—

(a) be amended in the manner specified in the Second Schedule;

(b) be also amended in the manner specified in the Third Schedule;

(c) with effect from the 1st May, 2023, be also amended in the manner specified in the Fourth Schedule;

(d) with effect from the 1st April, 2023, be also amended in the manner specified in the Seventh Schedule;

Amendment of Second Schedule. **136.** In the Customs Tariff Act, the Second Schedule shall, with effect from the 1st May, 2023, be amended in the manner specified in the Fifth Schedule.

#### *Central Goods and Services Tax*

Amendment of section 10. **137.** In the Central Goods and Services Tax Act, 2017 (hereinafter referred to as the Central Goods and Services Tax Act), in section 10,—

(a) in sub-section (2), in clause (d), the words "goods or" shall be omitted;

(b) in sub-section (2A), in clause (c), the words "goods or" shall be omitted.

Amendment of section 16. **138.** In section 16 of the Central Goods and Services Tax Act, in sub-section (2),—

(i) in the second proviso, for the words "added to his output tax liability, along with interest thereon", the words and figures "paid by him along with interest payable under section 50" shall be substituted;

(ii) in the third proviso, after the words "made by him", the words "to the supplier" shall be inserted.

**139.** In section 17 of the Central Goods and Services Tax Act,—

Amendment of  
section 17.

(a) in sub-section (3), in the *Explanation*, for the words and figure "except those specified in paragraph 5 of the said Schedule", the following shall be substituted, namely:—

"except,—

(i) the value of activities or transactions specified in paragraph 5 of the said Schedule; and

(ii) the value of such activities or transactions as may be prescribed in respect of clause (a) of paragraph 8 of the said Schedule.";

(b) in sub-section (5), after clause (f), the following clause shall be inserted, namely:—

"(fa) goods or services or both received by a taxable person, which are used or intended to be used for activities relating to his obligations under corporate social responsibility referred to in section 135 of the Companies Act, 2013;"

18 of 2013.

**140.** In section 23 of the Central Goods and Services Tax Act, for sub-section (2), the following sub-section shall be substituted and shall be deemed to have been substituted with effect from the 1st day of July, 2017, namely:—

Amendment of  
section 23.

"(2) Notwithstanding anything to the contrary contained in sub-section (1) of section 22 or section 24, the Government may, on the recommendations of the Council, by notification, subject to such conditions and restrictions as may be specified therein, specify the category of persons who may be exempted from obtaining registration under this Act."

**141.** In section 30 of the Central Goods and Services Tax Act, in sub-section (1),—

Amendment of  
section 30.

(a) for the words "the prescribed manner within thirty days from the date of service of the cancellation order:", the words "such manner, within such time and subject to such conditions and restrictions, as may be prescribed." shall be substituted;

(b) the proviso shall be omitted.

**142.** In section 37 of the Central Goods and Services Tax Act, after sub-section (4), the following sub-section shall be inserted, namely:—

Amendment of  
section 37.

"(5) A registered person shall not be allowed to furnish the details of outward supplies under sub-section (1) for a tax period after the expiry of a period of three years from the due date of furnishing the said details:

Provided that the Government may, on the recommendations of the Council, by notification, subject to such conditions and restrictions as may be specified therein, allow a registered person or a class of registered persons to furnish the details of outward supplies for a tax period under sub-section (1), even after the expiry of the said period of three years from the due date of furnishing the said details."

**143.** In section 39 of the Central Goods and Services Tax Act, after sub-section (10), the following sub-section shall be inserted, namely:—

Amendment of  
section 39.

"(11) A registered person shall not be allowed to furnish a return for a tax period after the expiry of a period of three years from the due date of furnishing the said return:

Provided that the Government may, on the recommendations of the Council, by notification, subject to such conditions and restrictions as may be specified therein, allow a registered person or a class of registered persons to furnish the return for a tax period, even after the expiry of the said period of three years from the due date of furnishing the said return."

Amendment of  
section 44.

**144.** Section 44 of the Central Goods and Services Tax Act shall be renumbered as sub-section (1) thereof, and after sub-section (1) as so renumbered, the following sub-section shall be inserted, namely:—

"(2) A registered person shall not be allowed to furnish an annual return under sub-section (1) for a financial year after the expiry of a period of three years from the due date of furnishing the said annual return:

Provided that the Government may, on the recommendations of the Council, by notification, and subject to such conditions and restrictions as may be specified therein, allow a registered person or a class of registered persons to furnish an annual return for a financial year under sub-section (1), even after the expiry of the said period of three years from the due date of furnishing the said annual return."

Amendment of  
section 52.

**145.** In section 52 of the Central Goods and Services Tax Act, after sub-section (14), the following sub-section shall be inserted, namely:—

"(15) The operator shall not be allowed to furnish a statement under sub-section (4) after the expiry of a period of three years from the due date of furnishing the said statement:

Provided that the Government may, on the recommendations of the Council, by notification, subject to such conditions and restrictions as may be specified therein, allow an operator or a class of operators to furnish a statement under sub-section (4), even after the expiry of the said period of three years from the due date of furnishing the said statement."

Amendment of  
section 54.

**146.** In section 54 of the Central Goods and Services Tax Act, in sub-section (6), the words "excluding the amount of input tax credit provisionally accepted," shall be omitted.

Amendment of  
section 56.

**147.** In section 56 of the Central Goods and Services Tax Act, for the words "from the date immediately after the expiry of sixty days from the date of receipt of application under the said sub-section till the date of refund of such tax", the words "for the period of delay beyond sixty days from the date of receipt of such application till the date of refund of such tax, to be computed in such manner and subject to such conditions and restrictions as may be prescribed" shall be substituted.

Amendment of  
section 62.

**148.** In section 62 of the Central Goods and Services Tax Act, in sub-section (2),—

(a) for the words "thirty days", the words "sixty days" shall be substituted;

(b) the following proviso shall be inserted, namely:—

"Provided that where the registered person fails to furnish a valid return within sixty days of the service of the assessment order under sub-section (1), he may furnish the same within a further period of sixty days on payment of an additional late fee of one hundred rupees for each day of delay beyond sixty days of the service of the said assessment order and in case he furnishes valid return within such extended period, the said assessment order shall be deemed to have been withdrawn, but the liability to pay interest under sub-section (1) of section 50 or to pay late fee under section 47 shall continue."

Substitution of  
section 109.

**149.** For section 109 of the Central Goods and Services Tax Act, the following section shall be substituted, namely:—

Constitution of  
Appellate  
Tribunal and  
Benches  
thereof.

"109. (1) The Government shall, on the recommendations of the Council, by notification, establish with effect from such date as may be specified therein, an Appellate Tribunal known as the Goods and Services Tax Appellate Tribunal for hearing appeals against the orders passed by the Appellate Authority or the Revisional Authority.

(2) The jurisdiction, powers and authority conferred on the Appellate Tribunal shall be exercised by the Principal Bench and the State Benches constituted under sub-section (3) and sub-section (4).

(3) The Government shall, by notification, constitute a Principal Bench of the Appellate Tribunal at New Delhi which shall consist of the President, a Judicial Member, a Technical Member (Centre) and a Technical Member (State).

(4) On the request of the State, the Government may, by notification, constitute such number of State Benches at such places and with such jurisdiction as may be recommended by the Council, which shall consist of two Judicial Members, a Technical Member (Centre) and a Technical Member (State).

(5) The Principal Bench and the State Bench shall hear appeals against the orders passed by the Appellate Authority or the Revisional Authority:

Provided that the cases in which any one of the issues involved relates to the place of supply, shall be heard only by the Principal Bench.

(6) The President shall, from time to time, by a general or special order, distribute the business of the Appellate Tribunal among the Benches and may transfer cases from one Bench to another.

(7) The senior-most Judicial Member within the State Benches, as may be notified, shall act as the Vice-President for such State Benches and shall exercise such powers of the President as may be prescribed, but for all other purposes be considered as a Member.

(8) Appeals, where the tax or input tax credit involved or the amount of fine, fee or penalty determined in any order appealed against, does not exceed fifty lakh rupees and which does not involve any question of law may, with the approval of the President, and subject to such conditions as may be prescribed on the recommendations of the Council, be heard by a single Member, and in all other cases, shall be heard together by one Judicial Member and one Technical Member.

(9) If, after hearing the case, the Members differ in their opinion on any point or points, such Member shall state the point or points on which they differ, and the President shall refer such case for hearing,—

(a) where the appeal was originally heard by Members of a State Bench, to another Member of a State Bench within the State or, where no such other State Bench is available within the State, to a Member of a State Bench in another State;

(b) where the appeal was originally heard by Members of the Principal Bench, to another Member from the Principal Bench or, where no such other Member is available, to a Member of any State Bench,

and such point or points shall be decided according to the majority opinion including the opinion of the Members who first heard the case.

(10) The Government may, in consultation with the President, for the administrative efficiency, transfer Members from one Bench to another Bench:

Provided that a Technical Member (State) of a State Bench may be transferred to a State Bench only of the same State in which he was originally appointed, in consultation with the State Government.

(11) No act or proceedings of the Appellate Tribunal shall be questioned or shall be invalid merely on the ground of the existence of any vacancy or defect in the constitution of the Appellate Tribunal."

**150.** For section 110 of the Central Goods and Services Tax Act, the following section shall be substituted, namely:—

"110. (1) A person shall not be qualified for appointment as—

(a) the President, unless he has been a Judge of the Supreme Court or is or has been the Chief Justice of a High Court;

(b) a Judicial Member, unless he—

(i) has been a Judge of the High Court; or

Substitution of new section for section 110. President and Members of Appellate Tribunal, their qualification, appointment, conditions of service, etc.

(ii) has, for a combined period of ten years, been a District Judge or an Additional District Judge;

(c) a Technical Member (Centre), unless he is or has been a member of the Indian Revenue (Customs and Indirect Taxes) Service, Group A, or of the All India Service with at least three years of experience in the administration of an existing law or goods and services tax in the Central Government, and has completed at least twenty-five years of service in Group A;

(d) a Technical Member (State), unless he is or has been an officer of the State Government or an officer of All India Service, not below the rank of Additional Commissioner of Value Added Tax or the State goods and services tax or such rank, not lower than that of the First Appellate Authority, as may be notified by the concerned State Government, on the recommendations of the Council and has completed twenty-five years of service in Group A, or equivalent, with at least three years of experience in the administration of an existing law or the goods and services tax or in the field of finance and taxation in the State Government:

Provided that the State Government may, on the recommendations of the Council, by notification, relax the requirement of completion of twenty-five years of service in Group A, or equivalent, in respect of officers of such State where no person has completed twenty-five years of service in Group A, or equivalent, but has completed twenty-five years of service in the Government, subject to such conditions, and till such period, as may be specified in the notification.

(2) The President, Judicial Member, Technical Member (Centre) and Technical Member (State) shall be appointed or re-appointed by the Government on the recommendations of a Search-cum-Selection Committee constituted under sub-section (4):

Provided that in the event of the occurrence of any vacancy in the office of the President by reason of his death, resignation or otherwise, the Judicial Member or, in his absence, the senior-most Technical Member of the Principal Bench shall act as the President until the date on which a new President, appointed in accordance with the provisions of this Act to fill such vacancy, enters upon his office:

Provided further that where the President is unable to discharge his functions owing to absence, illness or any other cause, the Judicial Member or, in his absence, the senior-most Technical Member of the Principal Bench, shall discharge the functions of the President until the date on which the President resumes his duties.

(3) While making selection for Technical Member (State) of a State Bench, first preference shall be given to officers who have worked in the State Government of the State to which the jurisdiction of the Bench extends.

(4) (a) The Search-cum-Selection Committee for Technical Member (State) of a State Bench shall consist of the following members, namely:—

(i) the Chief Justice of the High Court in whose jurisdiction the State Bench is located, to be the Chairperson of the Committee;

(ii) the senior-most Judicial Member in the State, and where no Judicial Member is available, a retired Judge of the High Court in whose jurisdiction the State Bench is located, as may be nominated by the Chief Justice of such High Court;

(iii) Chief Secretary of the State in which the State Bench is located;

(iv) one Additional Chief Secretary or Principal Secretary or Secretary of the State in which the State Bench is located, as may be nominated by such State Government, not in-charge of the Department responsible for administration of State tax; and

(v) Additional Chief Secretary or Principal Secretary or Secretary of the Department responsible for administration of State tax, of the State in which the State Bench is located — Member Secretary; and

(b) the Search-cum-Selection Committee for all other cases shall consist of the following members, namely:—

(i) the Chief Justice of India or a Judge of Supreme Court nominated by him, to be the Chairperson of the Committee;

(ii) Secretary of the Central Government nominated by the Cabinet Secretary — Member;

(iii) Chief Secretary of a State to be nominated by the Council — Member;

(iv) one Member, who—

(A) in case of appointment of a President of a Tribunal, shall be the outgoing President of the Tribunal; or

(B) in case of appointment of a Member of a Tribunal, shall be the sitting President of the Tribunal; or

(C) in case of the President of the Tribunal seeking re-appointment or where the outgoing President is unavailable or the removal of the President is being considered, shall be a retired Judge of the Supreme Court or a retired Chief Justice of a High Court nominated by the Chief Justice of India; and

(v) Secretary of the Department of Revenue in the Ministry of Finance of the Central Government — Member Secretary.

(5) The Chairperson shall have the casting vote and the Member Secretary shall not have a vote.

(6) Notwithstanding anything contained in any judgment, order, or decree of any court or any law for the time being in force, the Committee shall recommend a panel of two names for appointment or re-appointment to the post of the President or a Member, as the case may be.

(7) No appointment or re-appointment of the Members of the Appellate Tribunal shall be invalid merely by reason of any vacancy or defect in the constitution of the Search-cum-Selection Committee.

(8) Notwithstanding anything contained in any judgment, order, or decree of any court or any law for the time being in force, the salary of the President and the Members of the Appellate Tribunal shall be such as may be prescribed and their allowances and other terms and conditions of service shall be the same as applicable to Central Government officers carrying the same pay:

Provided that neither the salary and allowances nor other terms and conditions of service of the President or Members of the Appellate Tribunal shall be varied to their disadvantage after their appointment:

Provided further that, if the President or Member takes a house on rent, he may be reimbursed a house rent higher than the house rent allowance as are admissible to a Central Government officer holding the post carrying the same pay, subject to such limitations and conditions as may be prescribed.

(9) Notwithstanding anything contained in any judgment, order, or decree of any court or any law for the time being in force, the President of the Appellate Tribunal shall hold office for a term of four years from the date on which he enters upon his office, or until he attains the age of sixty-seven years, whichever is earlier and shall be eligible for re-appointment for a period not exceeding two years.

(10) Notwithstanding anything contained in any judgment, order, or decree of



any court or any law for the time being in force, the Judicial Member, Technical Member (Centre) or Technical Member (State) of the Appellate Tribunal shall hold office for a term of four years from the date on which he enters upon his office, or until he attains the age of sixty-five years, whichever is earlier and shall be eligible for re-appointment for a period not exceeding two years.

(11) The President or any Member may, by notice in writing under his hand addressed to the Government, resign from his office:

Provided that the President or Member shall continue to hold office until the expiry of three months from the date of receipt of such notice by the Government or until a person duly appointed as his successor enters upon his office or until the expiry of his term of office, whichever is the earliest.

(12) The Government may, on the recommendations of the Search-cum-Selection Committee, remove from the office President or a Member, who—

(a) has been adjudged an insolvent; or

(b) has been convicted of an offence which involves moral turpitude; or

(c) has become physically or mentally incapable of acting as such President or Member; or

(d) has acquired such financial or other interest as is likely to affect prejudicially his functions as such President or Member; or

(e) has so abused his position as to render his continuance in office prejudicial to the public interest:

Provided that the President or the Member shall not be removed on any of the grounds specified in clauses (d) and (e), unless he has been informed of the charges against him and has been given an opportunity of being heard.

(13) The Government, on the recommendations of the Search-cum-Selection Committee, may suspend from office, the President or a Judicial or Technical Member in respect of whom proceedings for removal have been initiated under sub-section (12).

(14) Subject to the provisions of article 220 of the Constitution, the President or other Members, on ceasing to hold their office, shall not be eligible to appear, act or plead before the Principal Bench or the State Bench in which he was the President or, as the case may be, a Member.”.

Substitution of new section for section 114.

**151.** For section 114 of the Central Goods and Services Tax Act, the following section shall be substituted, namely:—

Financial and Administrative powers of President.

“114. The President shall exercise such financial and administrative powers over the Appellate Tribunal as may be prescribed.”.

Amendment of section 117.

**152.** In section 117 of the Central Goods and Services Tax Act,—

(a) in sub-section (1), for the words “State Bench or Area Benches”, the words “State Benches” shall be substituted;

(b) in sub-section (5), in clauses (a) and (b), for the words “State Bench or Area Benches”, the words “State Benches” shall be substituted.

Amendment of section 118.

**153.** In section 118 of the Central Goods and Services Tax Act, in sub-section (1), in clause (a), for the words “National Bench or Regional Bench”, the words “Principal Bench” shall be substituted.

Amendment of section 119.

**154.** In section 119 of the Central Goods and Services Tax Act,—

(a) for the words “National or Regional Benches”, the words “Principal Bench” shall be substituted;

(b) for the words "State Bench or Area Benches", the words "State Benches" shall be substituted.

**155.** In section 122 of the Central Goods and Services Tax Act, after sub-section (1A), the following sub-section shall be inserted, namely:— Amendment of section 122.

"(1B) Any electronic commerce operator who—

(i) allows a supply of goods or services or both through it by an unregistered person other than a person exempted from registration by a notification issued under this Act to make such supply;

(ii) allows an inter-State supply of goods or services or both through it by a person who is not eligible to make such inter-State supply; or

(iii) fails to furnish the correct details in the statement to be furnished under sub-section (4) of section 52 of any outward supply of goods effected through it by a person exempted from obtaining registration under this Act,

shall be liable to pay a penalty of ten thousand rupees, or an amount equivalent to the amount of tax involved had such supply been made by a registered person other than a person paying tax under section 10, whichever is higher."

**156.** In section 132 of the Central Goods and Services Tax Act, in sub-section (1),— Amendment of section 132.

(a) clauses (g), (j) and (k) shall be omitted;

(b) in clause (l), for the words, brackets and letters "clauses (a) to (k)", the words, brackets and letters "clauses (a) to (f) and clauses (h) and (i)" shall be substituted;

(c) in clause (iii), for the words "any other offence", the words, brackets and letter "an offence specified in clause (b)," shall be substituted;

(d) in clause (iv), the words, brackets and letters "or clause (g) or clause (j)" shall be omitted.

**157.** In section 138 of the Central Goods and Services Tax Act,—

Amendment of section 138.

(a) in sub-section (1), in the first proviso,—

(i) for clause (a), the following clause shall be substituted, namely:—

"(a) a person who has been allowed to compound once in respect of any of the offences specified in clauses (a) to (f), (h), (i) and (l) of sub-section (1) of section 132;"

(ii) clause (b) shall be omitted;

(iii) for clause (c), the following clause shall be substituted, namely:—

"(c) a person who has been accused of committing an offence under clause (b) of sub-section (1) of section 132;"

(iv) clause (e) shall be omitted;

(b) in sub-section (2), for the words "ten thousand rupees or fifty per cent. of the tax involved, whichever is higher, and the maximum amount not being less than thirty thousand rupees or one hundred and fifty per cent. of the tax, whichever is higher", the words "twenty-five per cent. of the tax involved and the maximum amount not being more than one hundred per cent. of the tax involved" shall be substituted.

**158.** After section 158 of the Central Goods and Services Tax Act, the following section shall be inserted, namely:—

Insertion of new section 158A.

"158A. (1) Notwithstanding anything contained in sections 133, 152 and 158, the following details furnished by a registered person may, subject to the provisions of sub-section (2), and on the recommendations of the Council, be shared by the common portal with such other systems as may be notified by the Government, in such manner and subject to such conditions as may be prescribed, namely:—

Consent based sharing of information furnished by taxable person.

(a) particulars furnished in the application for registration under section 25 or in the return filed under section 39 or under section 44;

(b) the particulars uploaded on the common portal for preparation of invoice, the details of outward supplies furnished under section 37 and the particulars uploaded on the common portal for generation of documents under section 68;

(c) such other details as may be prescribed.

(2) For the purposes of sharing details under sub-section (1), the consent shall be obtained, of—

(a) the supplier, in respect of details furnished under clauses (a), (b) and (c) of sub-section (1); and

(b) the recipient, in respect of details furnished under clause (b) of sub-section (1), and under clause (c) of sub-section (1) only where such details include identity information of the recipient,

in such form and manner as may be prescribed.

(3) Notwithstanding anything contained in any law for the time being in force, no action shall lie against the Government or the common portal with respect to any liability arising consequent to information shared under this section and there shall be no impact on the liability to pay tax on the relevant supply or as per the relevant return."

Retrospective exemption to certain activities and transactions in Schedule III to the Central Goods and Services Tax Act.

**159.** (1) In Schedule III to the Central Goods and Services Tax Act, paragraphs 7 and 8 and the *Explanation* 2 thereof (as inserted *vide* section 32 of Act 31 of 2018) shall be deemed to have been inserted therein with effect from the 1st day of July, 2017.

(2) No refund shall be made of all the tax which has been collected, but which would not have been so collected, had sub-section (1) been in force at all material times.

#### *Integrated Goods and Services Tax*

Amendment of section 2.

**160.** In the Integrated Goods and Services Tax Act, 2017 (hereinafter referred to as the Integrated Goods and Services Tax Act), in section 2,—

13 of 2017.

(a) for clause (16), the following clause shall be substituted, namely:—

'(16) "non-taxable online recipient" means any unregistered person receiving online information and database access or retrieval services located in taxable territory.

*Explanation.*—For the purposes of this clause, the expression "unregistered person" includes a person registered solely in terms of clause (vi) of section 24 of the Central Goods and Services Tax Act, 2017;'

12 of 2017.

(b) in clause (17), the words "essentially automated and involving minimal human intervention and" shall be omitted.

Amendment of section 12.

**161.** In section 12 of the Integrated Goods and Services Tax Act, in sub-section (8), the proviso shall be omitted.

Amendment of section 13.

**162.** In section 13 of the Integrated Goods and Services Tax Act, sub-section (9) shall be omitted.

#### *Goods and Services Tax (Compensation to States) Act*

Amendment of Schedule.

**163.** In the Schedule to the Goods and Services Tax (Compensation to States) Act, 2017,—

15 of 2017.

(a) in serial number 1, for the entry in column (4) occurring against tariff item 2106 90 20, the entry "fifty-one per cent. of retail sale price per unit" shall be substituted;

(b) in serial number 2, for the entry in column (4) occurring against Chapter 24, the entry "Four thousand one hundred and seventy rupees per thousand sticks or

two hundred and ninety per cent. *ad valorem* or a combination thereof, but not exceeding four thousand one hundred and seventy rupees per thousand sticks plus two hundred and ninety per cent. *ad valorem* or hundred per cent. of retail sale price per unit" shall be substituted;

(c) the following *Explanation* shall be inserted at the end, namely:—

*'Explanation.*—For the purposes of this Schedule,—

(i) "retail sale price" means the maximum price at which the concerned goods in packaged form may be sold to the ultimate consumer and includes all taxes, local or otherwise, freight, transport charges, commission payable to dealers, and all charges towards advertisement, delivery, packing, forwarding and the like and the price is the sole consideration for such sale:

1 of 2010.

Provided that where the provisions of the Legal Metrology Act, 2009 or the rules made thereunder or any other law for the time being in force require to declare on the package, the retail sale price excluding any taxes, local or otherwise, the retail sale price shall be construed accordingly;

(ii) where on the package of any concerned goods more than one retail sale price is declared, the maximum of such retail sale price shall be deemed to be the retail sale price;

(iii) where the retail sale price, declared on the package of any concerned goods at the time of its clearance from the place of manufacture, is altered to increase the retail sale price, such altered retail sale price shall be deemed to be the retail sale price;

(iv) where different retail sale prices are declared on different packages for the sale of any concerned goods in packaged form in different areas, each such retail sale price shall be the retail sale prices for the purposes of determination of the rate of cess for the said goods intended to be sold in the area to which the retail sale price relates.'

## CHAPTER V

### MISCELLANEOUS

#### PART I

#### AMENDMENTS TO THE GOVERNMENT SAVINGS PROMOTION ACT, 1873

**164.** The provisions of this Part shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint. Commencement of this Part.

**165.** In the Government Savings Promotion Act, 1873,—

Amendment of Act 5 of 1873.

(a) in section 4A, for sub-section (4), the following sub-section shall be substituted, namely:—

39 of 1925.

"(4) If a depositor dies and no nomination is in force at the time of his death, and the probate of his will or letters of administration of estate or a succession certificate granted under the Indian Succession Act, 1925, or legal heir certificate issued by the revenue authority not below the rank of Tahsildar having jurisdiction, is not produced within six months from the date of death of the depositor to the Authorised Officer, then, where the eligible balance does not exceed such limit as may be prescribed, the Authorised Officer may, for reasons to be recorded in writing, pay the eligible balance to the person legally entitled to receive it or to administer the estate of the deceased in accordance with such procedure and manner as may be prescribed.";

(b) in section 15, in sub-section (2), for clause (i), the following clause shall be substituted, namely:—

"(i) the limit, procedure and manner under sub-section (4) of section 4A;"

(c) in the Schedule, in PART A, for serial numbers 7 and 8 and the entries relating thereto, the following shall be substituted, namely:—

"7. Public Provident Fund Scheme

8. National Savings Certificates (VIII Issue) Scheme, 2019

9. Kisan Vikas Patra Scheme, 2019

10. PM CARES for Children Scheme, 2021".

## PART II

### AMENDMENT TO THE INDIAN STAMP ACT, 1899

Amendment of Act 2 of 1899. **166.** In the Indian Stamp Act, 1899, in Schedule I, in article 47, in division D, under the heading "Exemption", for the portion beginning with "Policies of life-insurance" and ending with "authority of the Central Government.", the following shall be substituted, namely:—

"Policies of life insurance—

(a) granted by the Director-General of Post Offices in accordance with the rules for Postal Life-Insurance issued under the authority of the Central Government; and

(b) under the Pradhan Mantri Jeevan Jyoti Bima Yojana (PMJJBY).".

## PART III

### AMENDMENT TO THE SECURITIES CONTRACTS (REGULATION) ACT, 1956

Amendment of Act 42 of 1956. **167.** In the Securities Contracts (Regulation) Act, 1956, in section 18A, after clause (b), the following clause shall be inserted, namely:—

'(ba) regulated by the International Financial Services Centres Authority established under section 4 of the International Financial Services Centres Authority Act, 2019, in an International Financial Services Centre and issued by a Foreign Portfolio Investor.

50 of 2019.

*Explanation.*—For the purposes of this clause, the expression "Foreign Portfolio Investor" shall have the meaning assigned to it in clause (u) of rule 2 of the Foreign Exchange Management (Non-debt Instruments) Rules, 2019 made under section 46 of the Foreign Exchange Management Act, 1999;".

42 of 1999.

## PART IV

### AMENDMENTS TO THE CENTRAL SALES TAX ACT, 1956

Substitution of new section for section 19. **168.** In the Central Sales Tax Act, 1956 (hereinafter referred to as the Central Sales Tax Act), for section 19, the following section shall be substituted, namely:—

74 of 1956.

Customs, Excise and Service Tax Appellate Tribunal to function as Authority under this Act.

"19. Notwithstanding anything to the contrary contained in this Act or in any other law for the time being in force, the Customs, Excise and Service Tax Appellate Tribunal constituted under section 129 of the Customs Act, 1962 shall be the Authority under this Act to settle inter-State disputes falling under sections 6A and 9.".

52 of 1962.

Omission of section 24. **169.** Section 24 of the Central Sales Tax Act shall be omitted.

Amendment of section 25. **170.** In the Central Sales Tax Act, in section 25, after sub-section (2), the following sub-section shall be inserted, namely:—

"(3) All appeals filed under section 20 and pending before the erstwhile Authority for Advance Rulings as on the date on which the Finance Bill, 2023 receives the assent of the President shall stand transferred to the Authority referred to in section 19.".

## PART V

AMENDMENTS TO THE PROHIBITION OF *BENAMI* PROPERTY TRANSACTIONS ACT, 1988

**171.** In the Prohibition of *Benami* Property Transactions Act, 1988, with effect from the 1st day of April, 2023,—

Amendment of Act 45 of 1988.

(a) in section 2, in clause (18),—

(I) in sub-clause (i), the word "and" occurring at the end shall be omitted;

(II) in sub-clause (ii), the word "and" shall be inserted at the end;

(III) after sub-clause (ii), the following sub-clause shall be inserted, namely:—

"(iii) the High Court within the jurisdiction of which the office of the Initiating Officer is located,—

(a) where the aggrieved party does not ordinarily reside or carry on business or personally work for gain in the jurisdiction of any High Court;

(b) where the Government is the aggrieved party and any of the respondents do not ordinarily reside or carry on business or personally work for gain in the jurisdiction of any High Court;"

(b) in section 46,—

(i) in sub-section (I), for the words "of the order", the words "on which such order is received by the Initiating Officer or received by such person." shall be substituted;

(ii) in sub-section (IA), for the words "of that order", the words "on which such order is received by such person" shall be substituted.

## PART VI

## AMENDMENT TO THE FINANCE ACT, 2001

**172.** In the Finance Act, 2001, the Seventh Schedule shall be amended in the manner specified in the Sixth Schedule.

Amendment of Seventh Schedule to Act 14 of 2001.

## PART VII

## AMENDMENTS TO THE UNIT TRUST OF INDIA (TRANSFER OF UNDERTAKING AND REPEAL) Act, 2002

**173.** In the Unit Trust of India (Transfer of Undertaking and Repeal) Act, 2002, with effect from the 1st day of April, 2023,—

Amendment of Act 58 of 2002.

(a) in section 8, in sub-section (I), for the words "investors, shall", the words "investors or from such date as may be notified by the Central Government in the Official Gazette, whichever is earlier," shall be substituted;

(b) in section 13, in sub-section (I), for the figures, letters and words "31st day of March, 2023", the figures, letters and words "31st day of March, 2025" shall be substituted.

## PART VIII

## AMENDMENTS TO THE FINANCE (NO. 2) ACT, 2004

**174.** In the Finance (No. 2) Act, 2004, in section 98, in the Table, in serial number 4, in column (2)—

Amendment of Act 23 of 2004.

(i) against entry (a), in column (3), for the figures and word "0.05 per cent.", the figures and word "0.0625 per cent." shall be substituted; and

(ii) against entry (c), in column (3), for the figures and word "0.01 per cent.", the figures and word "0.0125 per cent." shall be substituted.



## THE FIRST SCHEDULE

(See section 2)

## PART I

## INCOME-TAX

*Paragraph A*

(I) In the case of every individual other than the individual referred to in items (II) and (III) of this Paragraph or Hindu undivided family or association of persons or body of individuals, whether incorporated or not, or every artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-tax Act, not being a case to which any other Paragraph of this Part applies,—

*Rates of income-tax*

(1) where the total income does not exceed Rs. 2,50,000	<i>Nil</i> ;
(2) where the total income exceeds Rs. 2,50,000 but does not exceed Rs. 5,00,000	5 per cent. of the amount by which the total income exceeds Rs. 2,50,000;
(3) where the total income exceeds Rs. 5,00,000 but does not exceed Rs. 10,00,000	Rs. 12,500 <i>plus</i> 20 per cent. of the amount by which the total income exceeds Rs. 5,00,000;
(4) where the total income exceeds Rs. 10,00,000	Rs. 1,12,500 <i>plus</i> 30 per cent. of the amount by which the total income exceeds Rs. 10,00,000.

(II) In the case of every individual, being a resident in India, who is of the age of sixty years or more but less than eighty years at any time during the previous year,—

*Rates of income-tax*

(1) where the total income does not exceed Rs. 3,00,000	<i>Nil</i> ;
(2) where the total income exceeds Rs. 3,00,000 but does not exceed Rs. 5,00,000	5 per cent. of the amount by which the total income exceeds Rs. 3,00,000;
(3) where the total income exceeds Rs. 5,00,000 but does not exceed Rs. 10,00,000	Rs. 10,000 <i>plus</i> 20 per cent. of the amount by which the total income exceeds Rs. 5,00,000;
(4) where the total income exceeds Rs. 10,00,000	Rs. 1,10,000 <i>plus</i> 30 per cent. of the amount by which the total income exceeds Rs. 10,00,000.

(III) In the case of every individual, being a resident in India, who is of the age of eighty years or more at any time during the previous year,—

*Rates of income-tax*

(1) where the total income does not exceed Rs. 5,00,000	<i>Nil</i> ;
(2) where the total income exceeds Rs. 5,00,000 but does not exceed Rs. 10,00,000	20 per cent. of the amount by which the total income exceeds Rs. 5,00,000;
(3) where the total income exceeds Rs. 10,00,000	Rs. 1,00,000 <i>plus</i> 30 per cent. of the amount by which the total income exceeds Rs. 10,00,000.

*Surcharge on income-tax*

The amount of income-tax computed in accordance with the preceding provisions of this Paragraph, or the provisions of section 111A or section 112 or section 112A or the provisions of section 115BAC of the Income-tax Act, shall be increased by a surcharge for the purposes of the Union, calculated, in the case of every individual or Hindu undivided family or association of persons or body of individuals, whether incorporated or not, or every artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-tax Act,—

(a) having a total income (including the income by way of dividend or income under the provisions of section 111A, section 112 and section 112A of the Income-tax Act) exceeding fifty lakh rupees but not exceeding one crore rupees, at the rate of ten per cent. of such income-tax;

(b) having a total income (including the income by way of dividend or income under the provisions of section 111A, section 112 and section 112A of the Income-tax Act) exceeding one crore rupees, but not exceeding two crore rupees, at the rate of fifteen per cent. of such income-tax;

(c) having a total income (excluding the income by way of dividend or income under the provisions of section 111A, section 112 and section 112A of the Income-tax Act) exceeding two crore rupees but not exceeding five crore rupees, at the rate of twenty-five per cent. of such income-tax;

(d) having a total income (excluding the income by way of dividend or income under the provisions of section 111A, section 112 and section 112A of the Income-tax Act) exceeding five crore rupees, at the rate of thirty-seven per cent. of such income-tax; and

(e) having a total income (including the income by way of dividend or income under the provisions of section 111A, section 112 and section 112A) exceeding two crore rupees but is not covered under clauses (c) and (d), shall be applicable at the rate of fifteen per cent. of such income-tax:

Provided that in case where the total income includes any income by way of dividend or income under the provisions of section 111A, section 112 and section 112A of the Income-tax Act, the rate of surcharge on the amount of income-tax computed in respect of that part of income shall not exceed fifteen per cent.:

Provided further that in case of an association of persons consisting of only companies as its members, the rate of surcharge on the amount of income-tax shall not exceed fifteen per cent.:

Provided also that in the case of persons mentioned above having total income exceeding,—

(a) fifty lakh rupees but not exceeding one crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax on a total income of fifty lakh rupees by more than the amount of income that exceeds fifty lakh rupees;

(b) one crore rupees but does not exceed two crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax and surcharge on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees;

(c) two crore rupees but does not exceed five crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax and surcharge on a total income of two crore rupees by more than the amount of income that exceeds two crore rupees;

(d) five crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax and surcharge on a total income of five crore rupees by more than the amount of income that exceeds five crore rupees.

*Paragraph B*

In the case of every co-operative society,—

*Rates of income-tax*

(1) where the total income does not exceed Rs. 10,000	10 per cent. of the total income;
(2) where the total income exceeds Rs. 10,000 but does not exceed Rs. 20,000	Rs. 1,000 <i>plus</i> 20 per cent. of the amount by which the total income exceeds Rs. 10,000;
(3) where the total income exceeds Rs. 20,000	Rs. 3,000 <i>plus</i> 30 per cent. of the amount by which the total income exceeds Rs. 20,000.

*Surcharge on income-tax*

The amount of income-tax computed in accordance with the preceding provisions of this Paragraph, or the provisions of section 111A or section 112 or section 112A of the Income-tax Act, shall, be increased by a surcharge for the purposes of the Union, calculated in the case of every co-operative society,—

(a) having a total income exceeding one crore rupees but not exceeding ten crore rupees, at the rate of seven per cent. of such income-tax;

(b) having a total income exceeding ten crore rupees, at the rate of twelve per cent.:

Provided that in the case of every co-operative society having total income exceeding one crore rupees but not exceeding ten crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees:

Provided further that in the case of every co-operative society having a total income exceeding ten crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax and surcharge on a total income of ten crore rupees by more than the amount of income that exceeds ten crore rupees.

*Paragraph C*

In the case of every firm,—

*Rate of income-tax*

On the whole of the total income	30 per cent.
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*Surcharge on income-tax*

The amount of income-tax computed in accordance with the preceding provisions of this Paragraph, or the provisions of section 111A or section 112 or section 112A of the Income-tax Act, shall, in the case of every firm, having a total income exceeding one crore rupees, be increased by a surcharge for the purposes of the Union calculated at the rate of twelve per cent. of such income-tax:

Provided that in the case of every firm mentioned above having total income exceeding one crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees.

*Paragraph D*

In the case of every local authority,—

*Rate of income-tax*

On the whole of the total income                      30 per cent.

*Surcharge on income-tax*

The amount of income-tax computed in accordance with the preceding provisions of this Paragraph, or the provisions of section 111A or section 112 or section 112A of the Income-tax Act, shall, in the case of every local authority, having a total income exceeding one crore rupees, be increased by a surcharge for the purposes of the Union calculated at the rate of twelve per cent. of such income-tax:

Provided that in the case of every local authority mentioned above having total income exceeding one crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees.

*Paragraph E*

In the case of a company,—

*Rates of income-tax*

I. In the case of a domestic company,—

- (i) where its total turnover or the gross receipt in the previous year 2020-21 does not exceed four hundred crore rupees                      25 per cent. of the total income;
- (ii) other than that referred to in item (i)                      30 per cent. of the total income.

II. In the case of a company other than a domestic company,—

- (i) on so much of the total income as consists of,—

(a) royalties received from Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern after the 31st day of March, 1961 but before the 1st day of April, 1976; or

(b) fees for rendering technical services received from Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern after the 29th day of February, 1964 but before the 1st day of April, 1976,

and where such agreement has, in either case, been approved by the Central Government

- (ii) on the balance, if any, of the total income                      40 per cent.

*Surcharge on income-tax*

The amount of income-tax computed in accordance with the preceding provisions of this Paragraph, or the provisions of section 111A or section 112 or 112A of the Income-tax Act, shall, be increased by a surcharge for the purposes of the Union calculated,—

- (i) in the case of every domestic company,—

(a) having a total income exceeding one crore rupees but not exceeding ten crore rupees, at the rate of seven per cent. of such income-tax; and

(b) having a total income exceeding ten crore rupees, at the rate of twelve per cent. of such income-tax;

- (ii) in the case of every company other than a domestic company,—

(a) having a total income exceeding one crore rupees but not exceeding ten crore rupees, at the rate of two per cent. of such income-tax; and

(b) having a total income exceeding ten crore rupees, at the rate of five per cent. of such income-tax:

Provided that in the case of every company having a total income exceeding one crore rupees but not exceeding ten crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees:

Provided further that in the case of every company having a total income exceeding ten crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax and surcharge on a total income of ten crore rupees by more than the amount of income that exceeds ten crore rupees.

## PART II

### RATES FOR DEDUCTION OF TAX AT SOURCE IN CERTAIN CASES

In every case in which under the provisions of sections 193, 194A, 194B, 194BA, 194BB, 194D, 194LBA, 194LBB, 194LBC and 195 of the Income-tax Act, tax is to be deducted at the rates in force, deduction shall be made from the income subject to the deduction at the following rates:—

	Rate of income-tax
1. In the case of a person other than a company—	
(a) where the person is resident in India—	
(i) on income by way of interest other than "Interest on securities"	10 per cent.;
(ii) on income by way of winnings from lotteries, puzzles, card games and other games of any sort (other than winnings from online games)	30 per cent.;
(iii) on income by way of winnings from horse races	30 per cent.;
(iv) on income by way of winnings from online games	30 per cent.;
(v) on income by way of insurance commission	5 per cent.;
(vi) on income by way of interest payable on—	10 per cent.;
(A) any debentures or securities for money issued by or on behalf of any local authority or a corporation established by a Central, State or Provincial Act;	
(B) any debentures issued by a company where such debentures are listed on a recognised stock exchange in India in accordance with the Securities Contracts (Regulation) Act, 1956 (42 of 1956) and any rules made thereunder;	
(C) any security of the Central or State Government;	
(vii) on any other income	10 per cent.;
(b) where the person is not resident in India—	
(i) in the case of a non-resident Indian—	

(A) on any investment income	20 per cent.;
(B) on income by way of long-term capital gains referred to in section 115E or sub-clause (iii) of clause (c) of sub-section (1) of section 112	10 per cent.;
(C) on income by way of long-term capital gains referred to in section 112A exceeding one lakh rupees	10 per cent.;
(D) on other income by way of long-term capital gains [not being long-term capital gains referred to in clauses (33) and (36) of section 10]	20 per cent.;
(E) on income by way of short-term capital gains referred to in section 111A	15 per cent.;
(F) on income by way of interest payable by Government or an Indian concern on moneys borrowed or debt incurred by Government or the Indian concern in foreign currency (not being income by way of interest referred to in section 194LB or section 194LC)	20 per cent.;
(G) on income by way of royalty payable by Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern where such royalty is in consideration for the transfer of all or any rights (including the granting of a licence) in respect of copyright in any book on a subject referred to in the first proviso to sub-section (1A) of section 115A of the Income-tax Act, to the Indian concern, or in respect of any computer software referred to in the second proviso to sub-section (1A) of section 115A of the Income-tax Act, to a person resident in India	20 per cent.;
(H) on income by way of royalty [not being royalty of the nature referred to in sub-item (b)(i)(G)] payable by Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern and where such agreement is with an Indian concern, the agreement is approved by the Central Government or where it relates to a matter included in the industrial policy, for the time being in force, of the Government of India, the agreement is in accordance with that policy	20 per cent.;
(I) on income by way of fees for technical services payable by Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern and where such agreement is with an Indian concern, the agreement is approved by the Central Government or where it relates to a matter included in the industrial policy, for the time being in force, of the Government of India, the agreement is in accordance with that policy	20 per cent.;
(J) on income by way of winnings from lotteries, crossword puzzles, card games and other games of any sort (other than winnings from online games)	30 per cent.;
(K) on income by way of winnings from horse races	30 per cent.;



(L) on income by way of winnings from online games	30 per cent.;
(M) on income by way of dividend, referred to in to in the proviso to sub-clause (A) of clause (a) of sub-section (I) of section 115A	10 per cent.;
(N) on income by way of dividend other than the income referred to in sub-item (b)(i)(M)	20 per cent.;
(O) on the whole of the other income	30 per cent.;
(ii) in the case of any other person—	
(A) on income by way of interest payable by Government or an Indian concern on moneys borrowed or debt incurred by Government or the Indian concern in foreign currency (not being income by way of interest referred to in section 194LB or section 194LC)	20 per cent.;
(B) on income by way of royalty payable by Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern where such royalty is in consideration for the transfer of all or any rights (including the granting of a licence) in respect of copyright in any book on a subject referred to in the first proviso to sub-section (IA) of section 115A of the Income-tax Act, to the Indian concern, in respect of any computer software referred to in the second proviso to sub-section (IA) of section 115A of the Income-tax Act, to a person resident in India	20 per cent.;
(C) on income by way of royalty [not being royalty of the nature referred to in sub-item (b)(ii)(B)] payable by Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern and where such agreement is with an Indian concern, the agreement is approved by the Central Government or where it relates to a matter included in the industrial policy, for the time being in force, of the Government of India, the agreement is in accordance with that policy	20 per cent.;
(D) on income by way of fees for technical services payable by Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern and where such agreement is with an Indian concern, the agreement is approved by the Central Government or where it relates to a matter included in the industrial policy, for the time being in force, of the Government of India, the agreement is in accordance with that policy	20 per cent.;
(E) on income by way of winnings from lotteries, crossword puzzles, card games and other games of any sort (other than winnings from online games)	30 per cent.;
(F) on income by way of winnings from horse races	30 per cent.;
(G) on income by way of winnings from online games	30 per cent.;
(H) on income by way of short-term capital gains referred to in section 111A	15 per cent.;

(I) on income by way of long-term capital gains referred to in sub-clause (iii) of clause (c) of sub-section (I) of section 112	10 per cent.;
(J) on income by way of long-term capital gains referred to in section 112A exceeding one lakh rupees	10 per cent.;
(K) on income by way of other long-term capital gains [not being long-term capital gains referred to in clauses (33) and (36) of section 10]	20 per cent.;
(L) on income by way of dividend, referred to in the proviso to sub-clause (A) of clause (a) of sub-section (I) of section 115A	10 per cent.;
(M) on income by way of dividend other than the income referred to in sub-item (b)(ii)(L)	20 per cent.;
(N) on the whole of the other income	30 per cent.
2. In the case of a company—	
(a) where the company is a domestic company—	
(i) on income by way of interest other than "Interest on securities"	10 per cent.;
(ii) on income by way of winnings from lotteries, puzzles, card games and other games of any sort (other than winnings from online games)	30 per cent.;
(iii) on income by way of winnings from horse races	30 per cent.;
(iv) on income by way of winnings from online games	30 per cent.;
(v) on any other income	10 per cent.;
(b) where the company is not a domestic company—	
(i) on income by way of winnings from lotteries, crossword puzzles, card games and other games of any sort (other than winnings from online games)	30 per cent.;
(ii) on income by way of winnings from horse races	30 per cent.;
(iii) on income by way of winnings from online games	30 per cent.;
(iv) on income by way of interest payable by Government or an Indian concern on moneys borrowed or debt incurred by Government or the Indian concern in foreign currency (not being income by way of interest referred to in section 194LB or section 194LC)	20 per cent.;
(v) on income by way of royalty payable by Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern after the 31st day of March, 1976 where such royalty is in consideration for the transfer of all or any rights (including the granting of a licence) in respect of copyright in any book on a subject referred to in the first proviso to sub-section (IA) of section 115A of the Income-tax Act, to the Indian concern, or in respect of any computer software referred to in the second proviso to sub-section (IA) of section 115A of the Income-tax Act, to a person resident in India	20 per cent.;
(vi) on income by way of royalty [not being royalty of the nature referred to in item (b)(v)] payable by Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern and where such agreement is with an Indian concern, the agreement is approved by the Central Government or where it relates to a	

matter included in the industrial policy, for the time being in force, of the Government of India, the agreement is in with that policy—

(A) where the agreement is made after the 31st day of March, 1961 but before the 1st day of April, 1976	50 per cent.;
(B) where the agreement is made after the 31st day of March, 1976	20 per cent.;
(vii) on income by way of fees for technical services payable by Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern and where such agreement is with an Indian concern, the agreement is approved by the Central Government or where it relates to a matter included in the industrial policy, for the time being in force, of the Government of India, the agreement is in accordance with that policy—	
(A) where the agreement is made after the 29th day of February, 1964 but before the 1st day of April, 1976	50 per cent.;
(B) where the agreement is made after the 31st day of March, 1976	20 per cent.;
(viii) on income by way of short-term capital gains referred to in section 111A	15 per cent.;
(ix) on income by way of long-term capital gains referred to in sub-clause (iii) of clause (c) of sub-section (I) of section 112	10 per cent.;
(x) on income by way of long-term capital gains referred to in section 112A exceeding one lakh rupees	10 per cent.;
(xi) on income by way of other long-term capital gains [not being long-term capital gains referred to in clauses (33) and (36) of section 10]	20 per cent.;
(xii) on income by way of dividend, referred to in the proviso to sub-clause (A) of clause (a) of sub-section (I) of section 115A	10 per cent.;
(xiii) on income by way of dividend other than the income referred to in item (b)(xii)	20 per cent.;
(xiv) on any other income	40 per cent.

*Explanation.*—For the purposes of item 1(b)(i) of this Part, "investment income" and "non-resident Indian" shall have the meanings assigned to them in Chapter XII-A of the Income-tax Act.

#### *Surcharge on income-tax*

The amount of income-tax deducted in accordance with the provisions of—

(i) item 1 of this Part, shall be increased by a surcharge, for the purposes of the Union,—

(a) in the case of every individual or Hindu undivided family or association of persons or body of individuals, whether incorporated or not, or every artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-tax Act, being a non-resident, calculated,—

I. at the rate of ten per cent. of such tax, where the income or the aggregate of such incomes (including the income by way of dividend or income under the provisions of sections 111A, 112 and 112A of the Income-tax Act) paid or likely to be paid and subject to the deduction exceeds fifty lakh rupees but does not exceed one crore rupees;

II. at the rate of fifteen per cent. of such tax, where the income or the aggregate of such incomes (including the income by way of dividend or income under the provisions of sections 111A, 112 and 112A of the Income-tax Act) paid or likely to be paid and subject to the deduction exceeds one crore rupees but does not exceed two crore rupees;

III. at the rate of twenty-five per cent. of such tax, where the income or the aggregate of such incomes (excluding the income by way of dividend or income under the provisions of sections 111A, 112 and 112A of the Income-tax Act) paid or likely to be paid and subject to the deduction exceeds two crore rupees but does not exceed five crore rupees;

IV. at the rate of thirty-seven per cent. of such tax, where the income or the aggregate of such incomes (excluding the income by way of dividend or income under the provisions of sections 111A, 112 and 112A of the Income-tax Act) paid or likely to be paid and subject to the deduction exceeds five crore rupees; and

V. at the rate of fifteen per cent. of such tax, where the income or the aggregate of such incomes (including the income by way of dividend or income under the provisions of sections 111A, 112 and 112A of the Income-tax Act) paid or likely to be paid and subject to the deduction exceeds two crore rupees, but is not covered under sub-clauses III and IV:

Provided that in case where the total income includes any income by way of dividend or income under the provisions of sections 111A, 112 and 112A of the Income-tax Act, the rate of surcharge on the amount of income-tax deducted in respect of that part of income shall not exceed fifteen per cent.:

Provided further that where the income of such person is chargeable to tax under sub-section (1A) of section 115BAC of the Income-tax Act, the rate of surcharge shall not exceed twenty-five per cent.;

(b) in the case of every co-operative society, being a non-resident, calculated,—

I. at the rate of seven per cent. of such tax, where the income or the aggregate of such incomes paid or likely to be paid and subject to the deduction exceeds one crore rupees but does not exceed ten crore rupees;

II. at the rate of twelve per cent. where the income or the aggregate of such incomes paid or likely to be paid and subject to the deduction exceeds ten crore rupees;

(c) in the case of every firm, being a non-resident, calculated at the rate of twelve per cent., where the income or the aggregate of such incomes paid or likely to be paid and subject to the deduction exceeds one crore rupees;

(ii) item 2 of this Part shall be increased by a surcharge, for the purposes of the Union, in the case of every company other than a domestic company, calculated,—

(a) at the rate of two per cent. of such income-tax where the income or the aggregate of such incomes paid or likely to be paid and subject to the deduction exceeds one crore rupees but does not exceed ten crore rupees; and

(b) at the rate of five per cent. of such income-tax where the income or the aggregate of such incomes paid or likely to be paid and subject to the deduction exceeds ten crore rupees.

### PART III

RATES FOR CHARGING INCOME-TAX IN CERTAIN CASES, DEDUCTING INCOME-TAX FROM INCOME CHARGEABLE UNDER THE HEAD "SALARIES" AND COMPUTING "ADVANCE TAX"

In cases in which income-tax has to be charged under sub-section (4) of section 172 of the Income-tax Act or sub-section (2) of section 174 or section 174A or section 175 or sub-section (2) of section 176 of the said Act or deducted from, or paid on, from income

chargeable under the head "Salaries" under section 192 of the said Act or deducted under section 194P of the said Act or in which the "advance tax" payable under Chapter XVII-C of the said Act has to be computed at the rate or rates in force, such income-tax or, as the case may be, "advance tax" [not being "advance tax" in respect of any income chargeable to tax under Chapter XII or Chapter XII-A or income chargeable to tax under section 115JB or section 115JC or Chapter XII-FA or Chapter XII-FB or sub-section (1A) of section 161 or section 164 or section 164A or section 167B of the said Act at the rates as specified in that Chapter or section or surcharge, wherever applicable, on such "advance tax" in respect of any income chargeable to tax under section 115A or section 115AB or section 115AC or section 115ACA or section 115AD or section 115B or section 115BA or section 115BAA or section 115BAB or section 115BAC or section 115BAD or section 115BAE or section 115BB or section 115BBA or section 115BBC or section 115BBE or section 115BBF or section 115BBG or section 115BBH or section 115BBI or section 115BBJ or section 115E or section 115JB or section 115JC] shall be charged, deducted or computed at the following rate or rates:—

*Paragraph A*

(I) In the case of every individual other than the individual referred to in items (II) and (III) of this Paragraph or Hindu undivided family or association of persons or body of individuals, whether incorporated or not, or every artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-tax Act, not being a case to which any other Paragraph of this Part applies,—

*Rates of income-tax*

(1) where the total income does not exceed Rs. 2,50,000	<i>Nil</i> ;
(2) where the total income exceeds Rs. 2,50,000 but does not exceed Rs. 5,00,000	5 per cent. of the amount by which the total income exceeds Rs. 2,50,000;
(3) where the total income exceeds Rs. 5,00,000 but does not exceed Rs. 10,00,000	Rs. 12,500 <i>plus</i> 20 per cent. of the amount by which the total income exceeds Rs. 5,00,000;
(4) where the total income exceeds Rs. 10,00,000	Rs. 1,12,500 <i>plus</i> 30 per cent. of the amount by which the total income exceeds Rs. 10,00,000.

(II) In the case of every individual, being a resident in India, who is of the age of sixty years or more but less than eighty years at any time during the previous year,—

*Rates of income-tax*

(1) where the total income does not exceed Rs. 3,00,000	<i>Nil</i> ;
(2) where the total income exceeds Rs. 3,00,000 but does not exceed Rs. 5,00,000	5 per cent. of the amount by which the total income exceeds Rs. 3,00,000;
(3) where the total income exceeds Rs. 5,00,000 but does not exceed Rs. 10,00,000	Rs. 10,000 <i>plus</i> 20 per cent. of the amount by which the total income exceeds Rs. 5,00,000;
(4) where the total income exceeds Rs. 10,00,000	Rs. 1,10,000 <i>plus</i> 30 per cent. of the amount by which the total income exceeds Rs. 10,00,000.

(III) In the case of every individual, being a resident in India, who is of the age of eighty years or more at any time during the previous year,—

*Rates of income-tax*

(1) where the total income does not exceed Rs. 5,00,000	<i>Nil</i> ;
---	--------------

- |   |  |
|---|--|
| (2) where the total income exceeds Rs. 5,00,000 but does not exceed Rs. 10,00,000 | 20 per cent. of the amount by which the total income exceeds Rs. 5,00,000;                           |
| (3) where the total income exceeds Rs. 10,00,000                                  | Rs. 1,00,000 <i>plus</i> 30 per cent. of the amount by which the total income exceeds Rs. 10,00,000. |

*Surcharge on income-tax*

The amount of income-tax computed in accordance with the preceding provisions of this Paragraph, or the provisions of section 111A or section 112 or section 112A of the Income-tax Act, shall be increased by a surcharge for the purposes of the Union, calculated, in the case of every individual or Hindu undivided family or association of persons or body of individuals, whether incorporated or not, or every artificial juridical person referred to in sub-clause (vii) of clause (31) of section 2 of the Income-tax Act,—

(a) having a total income (including the income by way of dividend or income under the provisions of section 111A, section 112 and section 112A of the Income-tax Act) exceeding fifty lakh rupees but not exceeding one crore rupees, at the rate of ten per cent. of such income-tax;

(b) having a total income (including the income by way of dividend or income under the provisions of section 111A, section 112 and section 112A of the Income-tax Act) exceeding one crore rupees but not exceeding two crore rupees, at the rate of fifteen per cent. of such income-tax;

(c) having a total income (excluding the income by way of dividend or income under the provisions of section 111A, section 112 and section 112A of the Income-tax Act) exceeding two crore rupees but not exceeding five crore rupees, at the rate of twenty-five per cent. of such income-tax;

(d) having a total income (excluding the income by way of dividend or income under the provisions of section 111A, section 112 and section 112A of the Income-tax Act) exceeding five crore rupees, at the rate of thirty-seven per cent. of such income-tax; and

(e) having a total income (including the income by way of dividend or income under the provisions of section 111A, section 112 and section 112A of the Income-tax Act) exceeding two crore rupees, but is not covered under clauses (c) and (d), shall be applicable at the rate of fifteen per cent. of such income-tax:

Provided that in case where the total income includes any income by way of dividend or income under the provisions of section 111A, section 112 and section 112A of the income-tax Act, the rate of surcharge on the amount of income-tax computed in respect of that part of income shall not exceed fifteen per cent.:

Provided further that in case of an association of persons consisting of only companies as its members, the rate of surcharge on the amount of income-tax shall not exceed fifteen per cent.:

Provided also that in the case of persons mentioned above having total income exceeding,—

(a) fifty lakh rupees but not exceeding one crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax on a total income of fifty lakh rupees by more than the amount of income that exceeds fifty lakh rupees;

(b) one crore rupees but does not exceed two crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax and surcharge on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees;

(c) two crore rupees but does not exceed five crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total



amount payable as income-tax and surcharge on a total income of two crore rupees by more than the amount of income that exceeds two crore rupees;

(d) five crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax and surcharge on a total income of five crore rupees by more than the amount of income that exceeds five crore rupees.

*Paragraph B*

In the case of every co-operative society,—

*Rates of income-tax*

- |   |  |
|---|--|
| (1) where the total income does not exceed Rs.10,000                        | 10 per cent. of the total income;  |
| (2) where the total income exceeds Rs.10,000 but does not exceed Rs. 20,000 | Rs. 1,000 <i>plus</i> 20 per cent. of the amount by which the total income exceeds Rs. 10,000; |
| (3) where the total income exceeds Rs. 20,000                               | Rs. 3,000 <i>plus</i> 30 per cent. of the amount by which the total income exceeds Rs. 20,000. |

*Surcharge on income-tax*

The amount of income-tax computed in accordance with the preceding provisions of this Paragraph, or the provisions of section 111A or section 112 or section 112A of the Income-tax Act, shall, be increased by a surcharge for the purposes of the Union, calculated in the case of every co-operative society,—

(a) having a total income exceeding one crore rupees but not exceeding ten crore rupees, at the rate of seven per cent. of such income-tax;

(b) having a total income exceeding ten crore rupees, at the rate of twelve per cent.:

Provided that in the case of every co-operative society having total income exceeding one crore rupees but not exceeding ten crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees:

Provided further that in the case of every co-operative society having total income exceeding ten crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax and surcharge on a total income of ten crore rupees by more than the amount of income that exceeds ten crore rupees.

*Paragraph C*

In the case of every firm,—

*Rate of income-tax*

On the whole of the total income                      30 per cent.

*Surcharge on income-tax*

The amount of income-tax computed in accordance with the preceding provisions of this Paragraph, or the provisions of section 111A or section 112 or section 112A of the Income-tax Act, shall, in the case of every firm, having a total income exceeding one crore rupees, be increased by a surcharge for the purposes of the Union calculated at the rate of twelve per cent. of such income-tax:

Provided that in the case of every firm mentioned above having total income exceeding one crore rupees, the total amount payable as income-tax and surcharge on such income

shall not exceed the total amount payable as income-tax on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees.

*Paragraph D*

In the case of every local authority,—

*Rate of income-tax*

On the whole of the total income 30 per cent.;

*Surcharge on income-tax*

The amount of income-tax computed in accordance with the preceding provisions of this Paragraph, or the provisions of section 111A or section 112 or section 112A of the Income-tax Act, shall, in the case of every local authority, having a total income exceeding one crore rupees, be increased by a surcharge for the purposes of the Union calculated at the rate of twelve per cent. of such income-tax:

Provided that in the case of every local authority mentioned above having total income exceeding one crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees.

*Paragraph E*

In the case of a company,—

*Rates of income-tax*

I. In the case of a domestic company,—

(i) where its total turnover or the gross receipt in the previous year 2021-2022 does not exceed four hundred crore rupees; 25 per cent. of the total income;

(ii) other than that referred to in item (i) 30 per cent. of the total income.

II. In the case of a company other than a domestic company,—

(i) on so much of the total income as consists of,— 50 per cent.;

(a) royalties received from Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern after the 31st day of March, 1961 but before the 1st day of April, 1976; or

(b) fees for rendering technical services received from Government or an Indian concern in pursuance of an agreement made by it with the Government or the Indian concern after the 29th day of February, 1964 but before the 1st day of April, 1976,

and where such agreement has, in either case, been approved by the Central Government;

(ii) on the balance, if any, of the total income 40 per cent.

*Surcharge on income-tax*

The amount of income-tax computed in accordance with the preceding provisions of this Paragraph, or the provisions of section 111A or section 112 or section 112A of the Income-tax Act, shall, be increased by a surcharge for the purposes of the Union, calculated,—

(i) in the case of every domestic company,—

(a) having a total income exceeding one crore rupees but not exceeding ten crore rupees, at the rate of seven per cent. of such income-tax; and

(b) having a total income exceeding ten crore rupees, at the rate of twelve per cent. of such income-tax;

(ii) in the case of every company other than a domestic company,—

(a) having a total income exceeding one crore rupees but not exceeding ten crore rupees, at the rate of two per cent. of such income-tax; and

(b) having a total income exceeding ten crore rupees, at the rate of five per cent. of such income-tax:

Provided that in the case of every company having a total income exceeding one crore rupees but not exceeding ten crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax on a total income of one crore rupees by more than the amount of income that exceeds one crore rupees:

Provided further that in the case of every company having a total income exceeding ten crore rupees, the total amount payable as income-tax and surcharge on such income shall not exceed the total amount payable as income-tax and surcharge on a total income of ten crore rupees by more than the amount of income that exceeds ten crore rupees.

#### PART IV

[See section 2(13)(c)]

#### RULES FOR COMPUTATION OF NET AGRICULTURAL INCOME

Rule 1.—Agricultural income of the nature referred to in sub-clause (a) of clause (1A) of section 2 of the Income-tax Act shall be computed as if it were income chargeable to income-tax under that Act under the head "Income from other sources" and the provisions of sections 57 to 59 of that Act shall, so far as may be, apply accordingly:

Provided that sub-section (2) of section 58 shall apply subject to the modification that the reference to section 40A therein shall be construed as not including a reference to sub-sections (3), (3A) and (4) of section 40A.

Rule 2.—Agricultural income of the nature referred to in sub-clause (b) or sub-clause (c) of clause (1A) of section 2 of the Income-tax Act [other than income derived from any building required as a dwelling-house by the receiver of the rent or revenue of the cultivator or the receiver of rent-in-kind referred to in the said sub-clause (c)] shall be computed as if it were income chargeable to income-tax under that Act under the head "Profits and gains of business or profession" and the provisions of sections 30, 31, 32, 36, 37, 38, 40, 40A [other than sub-sections (3), (3A) and (4) thereof], 41, 43, 43A, 43B and 43C of the Income-tax Act shall, so far as may be, apply accordingly.

Rule 3.—Agricultural income of the nature referred to in sub-clause (c) of clause (1A) of section 2 of the Income-tax Act, being income derived from any building required as a dwelling-house by the receiver of the rent or revenue or the cultivator or the receiver of rent-in-kind referred to in the said sub-clause (c) shall be computed as if it were income chargeable to income-tax under that Act under the head "Income from house property" and the provisions of sections 23 to 27 of that Act shall, so far as may be, apply accordingly.

Rule 4.—Notwithstanding anything contained in any other provisions of these rules, in a case—

(a) where the assessee derives income from sale of tea grown and manufactured by him in India, such income shall be computed in accordance with rule 8 of the Income-tax Rules, 1962, and sixty per cent. of such income shall be regarded as the agricultural income of the assessee;

(b) where the assessee derives income from sale of centrifuged latex or cenex or latex based crepes (such as pale latex crepe) or brown crepes (such as estate brown crepe, re-milled crepe, smoked blanket crepe or flat bark crepe) or technically specified block rubbers manufactured or processed by him from rubber plants grown by him in India, such income shall be computed in accordance with rule 7A of the Income-tax Rules, 1962, and sixty-five per cent. of such income shall be regarded as the agricultural income of the assessee;

(c) where the assessee derives income from sale of coffee grown and manufactured by him in India, such income shall be computed in accordance with rule 7B of the Income-tax Rules, 1962, and sixty per cent. or seventy-five per cent., as the case may be, of such income shall be regarded as the agricultural income of the assessee.

Rule 5.—Where the assessee is a member of an association of persons or a body of individuals (other than a Hindu undivided family, a company or a firm) which in the previous year has either no income chargeable to tax under the Income-tax Act or has total income not exceeding the maximum amount not chargeable to tax in the case of an association of persons or a body of individuals (other than a Hindu undivided family, a company or a firm) but has any agricultural income then, the agricultural income or loss of the association or body shall be computed in accordance with these rules and the share of the assessee in the agricultural income or loss so computed shall be regarded as the agricultural income or loss of the assessee.

Rule 6.—Where the result of the computation for the previous year in respect of any source of agricultural income is a loss, such loss shall be set off against the income of the assessee, if any, for that previous year from any other source of agricultural income:

Provided that where the assessee is a member of an association of persons or a body of individuals and the share of the assessee in the agricultural income of the association or body, as the case may be, is a loss, such loss shall not be set off against any income of the assessee from any other source of agricultural income.

Rule 7.—Any sum payable by the assessee on account of any tax levied by the State Government on the agricultural income shall be deducted in computing the agricultural income.

Rule 8.—(1) Where the assessee has, in the previous year relevant to the assessment year commencing on the 1st day of April, 2023, any agricultural income and the net result of the computation of the agricultural income of the assessee for any one or more of the previous years relevant to the assessment years commencing on the 1st day of April, 2015 or the 1st day of April, 2016 or the 1st day of April, 2017 or the 1st day of April, 2018 or the 1st day of April, 2019 or the 1st day of April, 2020 or the 1st day of April, 2021, or the 1st day of April, 2022, is a loss, then, for the purposes of sub-section (2) of section 2 of this Act,—

(i) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2015, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2016 or the 1st day of April, 2017 or the 1st day of April, 2018 or the 1st day of April, 2019 or the 1st day of April, 2020 or the 1st day of April, 2021 or the 1st day of April, 2022,

(ii) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2016, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2017 or the 1st day of April, 2018 or the 1st day of April, 2019 or the 1st day of April, 2020 or the 1st day of April, 2021 or the 1st day of April, 2022,

(iii) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2017, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2018 or the 1st day of April, 2019 or the 1st day of April, 2020 or the 1st day of April, 2021 or the 1st day of April, 2022,

(iv) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2018, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2019 or the 1st day of April, 2020 or the 1st day of April, 2021 or the 1st day of April, 2022,

(v) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2019, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2020 or the 1st day of April, 2021 or the 1st day of April, 2022,

(vi) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2020, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2021 or the 1st day of April, 2022,

(vii) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2021, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2022,

(viii) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2022,

shall be set off against the agricultural income of the assessee for the previous year relevant to the assessment year commencing on the 1st day of April, 2023.

(2) Where the assessee has, in the previous year relevant to the assessment year commencing on the 1st day of April, 2024, or, if by virtue of any provision of the Income-tax Act, income-tax is to be charged in respect of the income of a period other than the previous year, in such other period, any agricultural income and the net result of the computation of the agricultural income of the assessee for any one or more of the previous years relevant to the assessment years commencing on the 1st day of April, 2016 or the 1st day of April, 2017 or the 1st day of April, 2018 or the 1st day of April, 2019 or the 1st day of April, 2020 or the 1st day of April, 2021 or the 1st day of April, 2022 or the 1st day of April, 2023, is a loss, then, for the purposes of sub-section (10) of section 2 of this Act,—

(i) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2016, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2017 or the 1st day of April, 2018 or the 1st day of April, 2019 or the 1st day of April, 2020 or the 1st day of April, 2021 or the 1st day of April, 2022 or the 1st day of April, 2023,

(ii) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2017, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2018 or the 1st day of April, 2019 or the 1st day of April, 2020 or the 1st day of April, 2021 or the 1st day of April, 2022 or the 1st day of April, 2023,

(iii) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2018, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2019 or the 1st day of April, 2020 or the 1st day of April, 2021 or the 1st day of April, 2022 or the 1st day of April, 2023,

(iv) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2019, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2020 or the 1st day of April, 2021 or the 1st day of April, 2022 or the 1st day of April, 2023,

(v) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2020, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2021 or the 1st day of April, 2022 or the 1st day of April, 2023,

(vi) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2021, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2022 or the 1st day of April, 2023,

(vii) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2022, to the extent, if any, such loss has not been set off against the agricultural income for the previous year relevant to the assessment year commencing on the 1st day of April, 2023,

(viii) the loss so computed for the previous year relevant to the assessment year commencing on the 1st day of April, 2023,

shall be set off against the agricultural income of the assessee for the previous year relevant to the assessment year commencing on the 1st day of April, 2024.

(3) Where any person deriving any agricultural income from any source has been succeeded in such capacity by another person, otherwise than by inheritance, nothing in sub-rule (1) or sub-rule (2) shall entitle any person, other than the person incurring the loss, to have it set off under sub-rule (1) or, as the case may be, sub-rule (2).

(4) Notwithstanding anything contained in this rule, no loss which has not been determined by the Assessing Officer under the provisions of these rules or the rules contained in the First Schedule to the Finance Act, 2015 (20 of 2015) or the First Schedule to the Finance Act, 2016 (28 of 2016) or the First Schedule to the Finance Act, 2017 (7 of 2017) or the First Schedule to the Finance Act, 2018 (13 of 2018) or the First Schedule of the Finance (No. 2) Act, 2019 (23 of 2019) or the First Schedule of the Finance Act, 2020 (12 of 2020) or the First Schedule of the Finance Act, 2021 (13 of 2021) or the First Schedule of the Finance Act, 2022 (6 of 2022) shall be set off under sub-rule (1) or, as the case may be, sub-rule (2).

Rule 9.—Where the net result of the computation made in accordance with these rules is a loss, the loss so computed shall be ignored and the net agricultural income shall be deemed to be *nil*.

Rule 10.—The provisions of the Income-tax Act relating to procedure for assessment (including the provisions of section 288A relating to rounding off of income) shall, with the necessary modifications, apply in relation to the computation of the net agricultural income of the assessee as they apply in relation to the assessment of the total income.

Rule 11.—For the purposes of computing the net agricultural income of the assessee, the Assessing Officer shall have the same powers as he has under the Income-tax Act for the purposes of assessment of the total income.



## THE SECOND SCHEDULE

[See section 135 (a)]

In the First Schedule to the Customs Tariff Act,—

Tariff Item	Description of goods	Unit	Rate of duty	
			Standard	Preferential
(1)	(2)	(3)	(4)	(5)

(1) in Chapter 29,—

(i) for the entry in column (4) occurring against tariff item 2902 50 00, the entry “2.5%” shall be substituted;

(ii) for the entry in column (4) occurring against tariff item 2903 21 00, the entry “2.5%” shall be substituted;

(2) in Chapter 40, for the entry in column (4) occurring against all the tariff items of heading 4005, the entry “25% or Rs. 30 per kg., whichever is lower” shall be substituted;

(3) in Chapter 71,—

(i) for the entry in column (4) occurring against all the tariff items of headings 7113 and 7114, the entry “25%” shall be substituted;

(ii) for the entry in column (4) occurring against all the tariff items of heading 7117, the entry “25% or Rs. 600 per kg., whichever is higher” shall be substituted;

(4) in Chapter 84, for the entry in column (4) occurring against tariff item 8414 60 00, the entry “15%” shall be substituted;

(5) in Chapter 87, for the entry in column (4) occurring against tariff item 8712 00 10, the entry “35%” shall be substituted;

(6) in Chapter 95, for the entry in column (4) occurring against all the tariff items of heading 9503, the entry “70%” shall be substituted.

## THE THIRD SCHEDULE

[See section 135 (b)]

In the First Schedule to the Customs Tariff Act,—

(1) in Chapter 40, for the entry in column (4) occurring against tariff item 4011 30 00, the entry “2.5%” shall be substituted;

(2) in Chapter 71,—

(i) for the entry in column (4) occurring against all the tariff items of heading 7106, the entry “10%” shall be substituted;

(ii) for the entry in column (4) occurring against tariff item 7107 00 00, the entry “10%” shall be substituted;

(iii) for the entry in column (4) occurring against all the tariff items of heading 7108, the entry “10%” shall be substituted;

(iv) for the entry in column (4) occurring against tariff item 7109 00 00, the entry “10%” shall be substituted;

(v) for the entry in column (4) occurring against tariff items 7110 11 10, 7110 11 20, 7110 19 00, 7110 21 00, 7110 29 00, 7110 41 00 and 7110 49 00, the entry “10%” shall be substituted;

(vi) for the entry in column (4) occurring against tariff item 7111 00 00, the entry “10%” shall be substituted;

(vii) for the entry in column (4) occurring against all the tariff items of heading 7112, the entry “10%” shall be substituted;

(viii) for the entry in column (4) occurring against all the tariff items of heading 7118, the entry “10%” shall be substituted;

(3) in Chapter 88, for the entry in column (4) occurring against tariff items 8802 20 00, 8802 30 00 and 8802 40 00, the entry “2.5%” shall be substituted;

(4) in Chapter 98,—

(a) in heading 9801, in column (2),—

(i) for item (3), the following item shall be substituted, namely:—

“(3) Power project, other than solar power plant or solar power project”;

(ii) in item (6), for the words “Such other projects”, the words “Such other projects, other than solar power plant or solar power project,” shall be substituted;

(b) in sub-heading 9801 00, in column (2),—

(i) for item (3), the following item shall be substituted, namely:—

“(3) power project, other than solar power plant or solar power project”;

(ii) in item (6), for the words “such other projects”, the words “such other projects, other than solar power plant or solar power project,” shall be substituted;

(c) for the entry in column (2) occurring against tariff item 9801 00 13, the following entry shall be substituted, namely:—

“- - - For power project, other than solar power plant or solar power project”;

(d) for the entry in column (2) occurring against tariff item 9801 00 19, the following entry shall be substituted, namely:—

“- - - For other projects, other than solar power plant or solar power project”.

## THE FOURTH SCHEDULE

[See section 135 (c)]

In the First Schedule to the Customs Tariff Act,—

(1) in the General Explanatory Notes, in paragraph 1, after the portion beginning with the words ‘Where the description of an article or group of articles’ and ending with the words ‘the article or group of articles which has “-” or “- -”’, the following shall be inserted, namely:—

‘Where the description of an article or group of articles is preceded by “- - -”, ‘in addition to being a sub-classification of “-” or “- -”, the said article or group of articles may also be taken to be a sub-classification of the immediately preceding description of the article or group of articles which has “- - -”’;

(2) for the List of Abbreviations Used, the following shall be substituted, namely:—

## “LIST OF ABBREVIATIONS USED

Abbreviations	For
AC	Alternating Current
Amps	Ampere(s)
ASTM	American Society for Testing Materials
Bq	Becquerel(s)
Bq/g	Becquerel(s) per gram
°C	Degree(s) Celsius
cc	Cubic centimetre(s)
cg	Centigram(s)
Ci/g	Curie per gram
C.I.F.	Cost, Insurance and Freight
c/k	Carats (1 metric carat = $2 \times 10^{-4}$ kg)
cm	Centimetre(s)
cm <sup>2</sup>	Square centimetre(s)
cm <sup>3</sup>	Cubic centimetre(s)
cN	Centinewton(s)
DC	Direct Current
dyne/cm	Dyne per centimetre
g	Gram(s)
g/cm <sup>3</sup>	Gram per cubic centimetre
g/m <sup>2</sup>	Gram per square metre
gi F/S	Gram of fissile isotopes
g.v.w.	Gross vehicle weight
Gy	Gray
HP	Horse Power
Hz	Hertz
IR	Infra-red
K	Kelvin
kcal	Kilocalorie(s)
kcal/kg	Kilocalorie(s) per kilogram

kg	Kilogram(s)
kgf	Kilogram force
kN	Kilonewton(s)
kN/m	Kilonewton(s) per metre
kPa	Kilopascal(s)
kPa. m <sup>2</sup> /g	Kilopascal square metre per gram
kV	Kilovolt(s)
kVA	Kilovolt(s) - ampere(s)
kvar	Kilovolt(s) - ampere(s) - reactive
kW	Kilowatt(s)
kWh	Kilowatt hours
l	Litre(s)
m	Metre(s)
<i>m</i> -	Meta-
m <sup>2</sup>	Square metre(s)
m <sup>3</sup>	Cubic metre(s)
m <sup>3</sup> /h	Cubic metre(s) per hour
μCi	Microcurie
mm	Millimetre
mN	Millinewton(s)
mPa	Millipascal(s)
mT	Metric tonne
MW	Megawatt(s)
N	Newton(s)
N/m	Newton(s) per metre
No.	Number
<i>o</i> -	Ortho-
<i>p</i> -	Para-
pa	Number of pairs
RAD	Radiation absorbed dose
Rs.	Rupees
sq.	Square
SWG	Standard wire gauge
t	Tonne(s)
Tu	Thousand in number
u	Number
US\$	US Dollar
UV	Ultra-violet
V	Volt(s)
vol.	Volume
W	Watt(s)
%	Percent
x°	X degree(s)
1000 kWh	1000 kilowatt hours”;

Tariff Item	Description of goods	Unit	Rate of duty	
			Standard	Preferential
(1)	(2)	(3)	(4)	(5)
(3) in Chapter 3,—				
(i) in heading 0302,—				
(a) for sub-heading 0302 91, tariff item 0302 91 10 and the entries relating thereto, the following shall be substituted, namely:—				
“0302 91 00	-- Livers, roes and milt	kg.	30%	-”;
(b) for sub-heading 0302 92, tariff item 0302 92 10 and the entries relating thereto, the following shall be substituted, namely:—				
“0302 92 00	-- Shark fins	kg.	30%	-”;
(ii) in heading 0303, for sub-heading 0303 92, tariff item 0303 92 10 and the entries relating thereto, the following shall be substituted, namely:—				
“0303 92 00	-- Shark fins	kg.	30%	-”;
(iii) in heading 0307, after tariff item 0307 43 30 and the entries relating thereto, the following shall be inserted, namely:—				
“0307 43 90	--- Other	kg.	30%	-”;
(iv) in heading 0308, after tariff item 0308 30 20 and the entries relating thereto, the following shall be inserted, namely:—				
“0308 30 90	--- Other	kg.	30%	-”;
(4) in Chapter 4, in heading 0406, for tariff item 0406 10 00 and the entries relating thereto, the following shall be substituted, namely:—				
“0406 10	- Fresh (unripened or uncured) cheese, including whey cheese, and curd			
0406 10 10	--- Mozzarella cheese	kg.	30%	-
0406 10 90	--- Other	kg.	30%	-”;
(5) in Chapter 9, in heading 0910, for tariff items 0910 99 29 to 0910 99 39 and the entries relating thereto, the following shall be substituted, namely:—				
“0910 99 29	---- Other	kg.	30%	-
0910 99 30	--- Husk	kg.	30%	-”;
(6) in Chapter 10, in heading 1008,—				
(i) after tariff item 1008 21 30 and the entries relating thereto, the following shall be inserted, namely:—				
“1008 21 40	--- Barnyard ( <i>Echinochloa esculenta</i> (L.))	kg.	50%	-
1008 21 50	--- Proso ( <i>Panicum miliaceum</i> (L.))	kg.	50%	-
1008 21 60	--- Foxtail ( <i>Setaria italica</i> (L.))	kg.	50%	-
1008 21 70	--- Kodo ( <i>Paspalum scrobiculatum</i> (L.))	kg.	50%	-
1008 21 80	--- Little ( <i>Panicum sumatrense</i> (L.))	kg.	50%	-
	--- Other :			

1008 21 91	----	Amaranth ( <i>Amaranthus (L.)</i> )	kg.	50%	-
1008 21 99	----	Other	kg.	50%	-”;

(ii) after tariff item 1008 29 30 and the entries relating thereto, the following shall be inserted, namely:—

“1008 29 40	---	Barnyard ( <i>Echinochloa esculenta (L.)</i> )	kg.	50%	-
1008 29 50	---	Proso ( <i>Panicum miliaceum (L.)</i> )	kg.	50%	-
1008 29 60	---	Foxtail ( <i>Setaria italica (L.)</i> )	kg.	50%	-
1008 29 70	---	Kodo ( <i>Paspalum scrobiculatum (L.)</i> )	kg.	50%	-
1008 29 80	---	Little ( <i>Panicum sumatrense (L.)</i> )	kg.	50%	-
	---	Other :			
1008 29 91	----	Amaranth ( <i>Amaranthus (L.)</i> )	kg.	50%	-
1008 29 99	----	Other	kg.	50%	-”;

(7) in Chapter 12, in heading 1211, for sub-heading 1211 90, tariff items 1211 90 11 to 1211 90 99 and the entries relating thereto, the following shall be substituted, namely:—

“1211 90	-	Other :			
	---	Seeds, Kernel, Aril, Fruit, Pericarp, Fruit rind, Endosperm, Mesocarp, Endocarp :			
1211 90 11	----	Ambrette seeds	kg.	30%	-
1211 90 12	----	Nuxvomica, Dried ripe seeds	kg.	30%	-
1211 90 13	----	Psyllium seeds ( <i>isobgul</i> )	kg.	30%	-
1211 90 14	----	Neem seeds	kg.	30%	-
1211 90 15	----	Jojoba seeds	kg.	30%	-
1211 90 16	----	Garcinia	kg.	30%	-
1211 90 19	----	Other	kg.	30%	-
	---	Leaves, Leafbud, Galls, flowers, Inflorescence, Spadix, Flower bud, Style and Stigma, Stamen and pods :			
1211 90 21	----	Belladonna leaves	kg.	30%	-
1211 90 22	----	Senna leaves and pods	kg.	30%	-
1211 90 23	----	Neem leaves	kg.	30%	-
1211 90 24	----	Gymnema	kg.	30%	-
1211 90 25	----	Cubeb	kg.	30%	-
1211 90 26	----	Pyrethrum	kg.	30%	-
1211 90 29	----	Other	kg.	30%	-
	---	Bark, Husk and Rind :			
1211 90 31	----	Cascara sagrada bark	kg.	30%	-
1211 90 32	----	Psyllium husk ( <i>isobgul husk</i> )	kg.	30%	-
1211 90 33	----	Gamboge fruit rind	kg.	30%	-
1211 90 34	----	Ashoka ( <i>Saraca asoca.</i> )	kg.	30%	-



1211 90 35	----	Arjuna ( <i>Terminalia arjuna</i> )	kg.	30%	-
1211 90 39	----	Other	kg.	30%	-
	---	<i>Roots, Root stalk, Bulb, Corn, Tuber, Stolon and rhizome :</i>			
1211 90 41	----	Belladonna roots	kg.	30%	-
1211 90 42	----	Galangal rhizomes and roots	kg.	30%	-
1211 90 43	----	Ipecac dried rhizome and roots	kg.	30%	-
1211 90 44	----	Serpentina roots ( <i>rowwalfia serpentina</i> and other species of <i>rowwalfias</i> )	kg.	30%	-
1211 90 45	----	Zedovary roots	kg.	30%	-
1211 90 46	----	Kuth root	kg.	30%	-
1211 90 47	----	Sarasaparilla roots	kg.	30%	-
1211 90 48	----	Sweet flag rhizomes	kg.	30%	-
1211 90 49	----	Other	kg.	30%	-
	---	<i>Whole Plant, Aerial Part, Stem, Shoot and Wood :</i>			
1211 90 51	----	Sandalwood chips and dust	kg.	30%	-
1211 90 52	----	Vinca rosea herbs	kg.	30%	-
1211 90 53	----	Mint	kg.	30%	-
1211 90 54	----	Agarwood	kg.	30%	-
1211 90 55	----	Chirata	kg.	30%	-
1211 90 56	----	Basil, hyssop, rosemary, sage and savory	kg.	30%	-
1211 90 57	----	Ashwagandha ( <i>Withania somnifera</i> )	kg.	30%	-
1211 90 58	----	Giloy ( <i>Tinospora cordifolia</i> )	kg.	30%	-
1211 90 59	----	Other	kg.	30%	-
1211 90 90	---	Other	kg.	30%	-”;

(8) in Chapter 13,—

(i) in the Note, in clause (g), for the brackets, word and figures “(heading 3006)”, the brackets, word and figures “(heading 3822)” shall be substituted;

(ii) in heading 1302,—

(a) for tariff item 1302 32 30 and the entries relating thereto, the following shall be substituted, namely:—

“--- *Guargum*:

1302 32 31	----	Chemically treated	kg.	30%	-
1302 32 39	----	Other	kg.	30%	-”;

(b) tariff item 1302 32 40 and the entries relating thereto shall be omitted;

(c) for tariff item 1302 39 00 and the entries relating thereto, the following shall be substituted, namely:—

“1302 39 -- *Other* :

1302 39 10	---	Tamarind Kernel Powder	kg.	30%	-
1302 39 20	---	Kappa carrageenan	kg.	30%	-
1302 39 90	---	Other	kg.	30%	-”;

(9) in Chapter 19, in heading 1904, for tariff item 1904 20 00 and the entries relating thereto, the following shall be substituted, namely:—

“1904 20	-	<i>Prepared foods obtained from unroasted cereal flakes or from mixtures of unroasted cereal flakes and roasted cereal flakes or swelled cereals;</i>			
1904 20 10	---	With millet content 15% or more by weight	kg.	30%	-
1904 20 90	---	Other	kg.	30%	-”;

(10) in Chapter 27, in heading 2701, for tariff item 2701 12 00 and the entries relating thereto, the following shall be substituted, namely:—

“2701 12	--	<i>Bituminous coal :</i>			
2701 12 10	---	Coking coal	kg.	5%	-
2701 12 90	---	Other	kg.	5%	-”;

(11) in Chapter 29,—

(i) in heading 2916, after tariff item 2916 20 10 and the entries relating thereto, the following shall be inserted, namely:—

“2916 20 20	---	Bifenthrin (ISO)	kg.	7.5%	-”;
-------------	-----	------------------	-----	------	-----

(ii) in heading 2924, after tariff item 2924 29 60 and the entries relating thereto, the following shall be inserted, namely:—

“2924 29 70	---	Pretilachlor (ISO)	kg.	7.5%	-”;
-------------	-----	--------------------	-----	------	-----

(iii) in heading 2930,—

(a) for tariff item 2930 20 00 and the entries relating thereto, the following shall be substituted, namely:—

“2930 20	-	<i>Thiocarbamates and dithiocarbamates :</i>			
2930 20 10	---	Cartap Hydrochloride (ISO)	kg.	7.5%	-
2930 20 90	---	Other	kg.	7.5%	-”;

(b) after tariff item 2930 90 91 and the entries relating thereto, the following shall be inserted, namely:—

“2930 90 92	----	Acephate (ISO)	kg.	7.5%	-”;
-------------	------	----------------	-----	------	-----

(iv) in heading 2931, after tariff item 2931 49 20 and the entries relating thereto, the following shall be inserted, namely:—

“2931 49 30	---	Glyphosate (ISO)	kg.	7.5%	-”;
-------------	-----	------------------	-----	------	-----

(v) in heading 2932, after tariff item 2932 99 10 and the entries relating thereto, the following shall be inserted, namely:—

“2932 99 20	---	Emamectin Benzoate (ISO)	kg.	7.5%	-”;
-------------	-----	--------------------------	-----	------	-----

(vi) in heading 2933,—

(a) after tariff item 2933 29 50 and the entries relating thereto, the following shall be inserted, namely:—

“2933 29 60	---	Imidacloprid (ISO)	kg.	7.5%	-”;
-------------	-----	--------------------	-----	------	-----

(b) after tariff item 2933 39 16 and the entries relating thereto, the following shall be inserted, namely:—

“2933 39 17 - - - - Chlorantraniliprole (ISO) kg. 7.5% -”;

(c) for tariff item 2933 39 19 and the entries relating thereto, the following shall be substituted, namely:—

“2933 39 21 - - - - Acetamiprid (ISO) kg. 7.5% -

2933 39 22 - - - - Imazethapyr (ISO) kg. 7.5% -

2933 39 29 - - - - Other kg. 7.5% -”;

(d) after tariff item 2933 59 40 and the entries relating thereto, the following shall be inserted, namely:—

“2933 59 50 - - - Bispyribac-sodium (ISO) kg. 10% -”;

(e) after tariff item 2933 99 10 and the entries relating thereto, the following shall be inserted, namely:—

“2933 99 20 - - - Carbendazim (ISO) kg. 7.5% -”;

(vii) in heading 2934, after tariff item 2934 99 20 and the entries relating thereto, the following shall be inserted, namely:—

“2934 99 30 - - - Buprofezin (ISO) kg. 7.5% -”;

(viii) in heading 2935, for tariff item 2935 50 00 and the entries relating thereto, the following shall be substituted, namely:—

“2935 50 - *Other perfluorooctane sulphonamides* :

2935 50 10 - - - Flubendiamide (ISO) kg. 7.5% -

2935 50 90 - - - Other kg. 7.5% -”;

(12) in Chapter 31,—

(i) after Note 6, the following Supplementary Note shall be inserted, namely:—

“Supplementary Note :

(1) In this Chapter, reference to any standard of the Bureau of Indian Standards refers to the last published version of that standard.

Illustration : IS 1459 refers to IS 1459: 2018 and not to IS 1459: 1974.”;

(ii) in heading 3102, for tariff item 3102 10 00 and the entries relating thereto, the following shall be substituted, namely:—

“3102 10 - *Urea, whether or not in aqueous solution* :

3102 10 10 - - - Fertilizer grade, conforming to kg. 10% -  
Standard IS 5406

3102 10 90 - - - Other kg. 10% -”;

(13) in Chapter 38,—

(i) after Sub-heading Note 4, the following Supplementary Notes shall be inserted, namely:—

“Supplementary Notes:

1. Tariff item 3808 91 41 covers one of the following goods of sub-heading 3808 91 : Acephate (ISO) conforming to IS-12915; Cartap Hydrochloride (ISO) conforming to IS-14159; Imidacloprid (ISO) conforming to IS-15443; Acetamiprid (ISO) conforming to IS-15981.

2. Tariff item 3808 91 42 covers one of the following goods of sub-heading 3808 91 with content by mass greater than 90% : Chlorantraniliprole (ISO); Buprofezin (ISO); Flubendiamide (ISO); Eamectin Benzoate (ISO).

3. Tariff item 3808 91 51 covers only mixtures and preparations of goods of sub-heading 3808 91, containing one or more of the following : Acephate (ISO) conforming to IS-12916; Cartap Hydrochloride (ISO) conforming to IS-14183; Imidacloprid (ISO) conforming to IS-15335; Acetamiprid (ISO) conforming to IS-16328.

4. Tariff item 3808 91 52 covers only mixtures and preparations of goods of sub-heading 3808 91 with content by mass greater than 90%, containing one or more of the following : Chlorantraniliprole (ISO); Buprofezin (ISO); Flubendiamide (ISO); Eamectin Benzoate (ISO).

5. Tariff item 3808 92 60 covers one of the following goods of sub-heading 3808 92 : Carbendazim (ISO) conforming to IS-8445.

6. Tariff item 3808 92 70 covers only mixtures and preparations of goods of sub-heading 3808 92, containing one or more of the following : Carbendazim (ISO) conforming to IS-8446.

7. Tariff item 3808 93 61 covers one of the following goods of sub-heading 3808 93 : Pretilachlor (ISO) conforming to IS-15158; Glyphosate (ISO) conforming to IS-12502.

8. Tariff item 3808 93 62 covers one of the following goods of sub-heading 3808 93 with content by mass greater than 90% : Bispyribac sodium (ISO); Imazethapyr (ISO).

9. Tariff item 3808 93 71 covers only mixtures and preparations of goods of sub-heading 3808 93, containing one or more of the following : Pretilachlor (ISO) conforming to IS-15160.

10. Tariff item 3808 93 72 covers only mixtures and preparations of goods of sub-heading 3808 93 with content by mass greater than 90%, containing one or more of the following : Bispyribac sodium (ISO); Imazethapyr (ISO).”;

(ii) in heading 3808,—

(a) after tariff item 3808 91 37 and the entries relating thereto, the following shall be inserted, namely:—

“--- Goods specified in Supplementary Note 1 and 2 to this Chapter :

3808 91 41	----	Goods specified in Supplementary Note 1 to this Chapter	kg.	10%	-
------------	------	---	-----	-----	---

3808 91 42	----	Goods specified in Supplementary Note 2 to this Chapter	kg.	10%	-
------------	------	---	-----	-----	---

--- Goods specified in Supplementary Note 3 and 4 to this Chapter :

3808 91 51	----	Goods specified in Supplementary Note 3 to this Chapter	kg.	10%	-
------------	------	---	-----	-----	---

3808 91 52	----	Goods specified in Supplementary Note 4 to this Chapter	kg.	10%	-”;
------------	------	---	-----	-----	-----

(b) after tariff item 3808 92 50 and the entries relating thereto, the following shall be inserted, namely:—

“3808 92 60 --- Goods specified in Supplementary kg. 10% -  
Note 5 to this Chapter

3808 92 70 --- Goods specified in Supplementary kg. 10% -”;  
Note 6 to this Chapter

(c) after tariff item 3808 93 50 and the entries relating thereto, the following shall be inserted, namely:—

“- - - *Goods specified in Supplementary  
Note 7 and 8 to this Chapter :*

3808 93 61 ---- Goods specified in Supplementary kg. 10% -  
Note 7 to this Chapter

3808 93 62 ---- Goods specified in Supplementary kg. 10% -  
Note 8 to this Chapter

--- *Goods specified in Supplementary  
Note 9 and 10 to this Chapter :*

3808 93 71 ---- Goods specified in Supplementary kg. 10% -  
Note 9 to this Chapter

3808 93 72 ---- Goods specified in Supplementary kg. 10% -”;  
Note 10 to this Chapter

(14) in Chapter 39, in heading 3915, after tariff item 3915 90 75 and the entries relating thereto, the following shall be inserted, namely:—

“3915 90 79 ---- Others kg. 7.5% -”;

(15) in Chapter 48, in heading 4811, for tariff item 4811 90 94 and the entries relating thereto, the following shall be substituted, namely:—

“4811 90 94 ---- Thermal paper in jumbo rolls (of kg. 10% -  
size 1 m and above in width  
and 5,000 m and above in length)

4811 90 95 ---- Thermal paper in jumbo rolls kg. 10% -  
(of size 1 m and above in width  
and less than 5,000 m in length)

4811 90 96 ---- Thermal paper in rolls of size kg. 10% -”;  
less than 1 m in width

(16) in Chapter 52, in heading 5201, for tariff item 5201 00 20 and the entries relating thereto, the following shall be substituted, namely:—

“- - - *Other :*

5201 00 21 ---- Of staple length not kg. 5% -  
exceeding 20.0 mm

5201 00 22 ---- Of staple length exceeding 20.0 mm kg. 5% -  
but not exceeding 24.5 mm

5201 00 23 ---- Of staple length exceeding 24.5 mm kg. 5% -  
but not exceeding 27.0 mm

5201 00 24 ---- Of staple length exceeding 27.0 mm kg. 5% -  
but not exceeding 32.0 mm

5201 00 25 ---- Of staple length exceeding 32.0 mm kg. 5% -”;

(17) in Chapter 54, in heading 5402,—

(i) for tariff item 5402 11 10 and the entries relating thereto, the following shall be substituted, namely:—

“5402 11 00 -- Of aramids kg. 5% -”;

(ii) for sub-heading 5402 59, tariff item 5402 59 90 and the entries relating thereto, the following shall be substituted, namely:—

“5402 59 00 -- Other kg. 5% -”;

(18) in Chapter 57, in heading 5702, after tariff item 5702 39 20 and the entries relating thereto, the following shall be inserted, namely:—

“5702 39 90 --- Other m<sup>2</sup> 20% -”;

(19) in Chapter 61, in heading 6115, for sub-heading 6115 21 and the entries relating thereto, the following shall be substituted, namely:—

“- *Other panty hose and tights* :”;

(20) in Chapter 62,—

(i) in heading 6213,—

(a) for the entry in column (2) occurring against sub-heading 6213 90, the following shall be substituted, namely:—

“- *Of other textile materials* :”;

(b) for the entry in column (2) occurring against tariff item 6213 90 90, the following shall be substituted, namely:—

“- -- Other” ;

(ii) in heading 6217,—

(a) for the entry in column (2) occurring against tariff item 6217 10 10, the following shall be substituted, namely:—

“- -- For articles of apparel, of cotton”;

(b) for the entry in column (2) occurring against tariff item 6217 10 20, the following shall be substituted, namely:—

“- -- For articles of apparel, of synthetic fibres”;

(c) for the entry in column (2) occurring against tariff item 6217 10 30, the following shall be substituted, namely:—

“- -- For articles of apparel, of wool”;

(d) for the entry in column (2) occurring against tariff item 6217 10 40, the following shall be substituted, namely:—

“- -- For articles of apparel, of silk”;

(e) for the entry in column (2) occurring against tariff item 6217 10 50, the following shall be substituted, namely:—

“- -- For articles of apparel, of regenerated fibres”;

(f) for the entry in column (2) occurring against tariff item 6217 10 60, the following shall be substituted, namely:—

“- -- For articles of apparel, of other fibres”;

(g) for the entry in column (2) occurring against tariff item 6217 10 70, the following shall be substituted, namely:—

“- -- Stockings, socks, sockettes and the like, of cotton”;

(21) in Chapter 63,—

(i) in heading 6301, for the entry in column (2) occurring against tariff item 6301 20 00, the following shall be substituted, namely:—



- “- Blankets (other than electric blankets) and travelling rugs, of wool or of fine animal hair”;

(ii) in heading 6304, for the entry in column (2) occurring against tariff item 6304 20 00, the following shall be substituted, namely:—

- “- Bed nets specified in Sub-heading Note 1 to this Chapter”;

(iii) in heading 6310, for tariff items 6310 10 90 to 6310 90 10 and the entries relating thereto, the following shall be substituted, namely:—

“6310 10 90	---	Other	kg.	20%	-
6310 90	-	Other :			
6310 90 10	---	Woollen rags	kg.	20%	-”;

(22) in Chapter 69,—

(i) in Note 1, in introductory sentence, for the word “shaping:”, the word “shaping :” shall be substituted;

(ii) in heading 6907, for sub-heading 6907 30, tariff item 6907 30 10, sub-heading 6907 40, tariff item 6907 40 10 and the entries relating thereto, the following shall be substituted, namely:—

“6907 30 00	-	Mosaic cubes and the like, other than those of sub-heading 6907 40	m <sup>2</sup>	15%	-
6907 40 00	-	Finishing ceramics	m <sup>2</sup>	15%	-”;

(23) in Chapter 71,—

(i) after Sub-heading Note 3, the following Supplementary Note shall be inserted, namely:—

‘Supplementary Note:

For the purposes of heading 7104, “Diamonds” means—

(a) chemically produced stones which have essentially the same chemical composition and crystal structure as a particular natural diamond and are produced using various methods including High Pressure High Temperature method (HPHT) and Chemical Vapour Deposition method (CVD); or

(b) stones obtained artificially by various means, e.g., agglomerating, pressing or fusing together (usually with the aid of a blow pipe) fragments of natural diamonds which have generally been reduced to a powder.’;

(ii) in heading 7104,—

(a) for tariff item 7104 21 00 and the entries relating thereto, the following shall be substituted, namely:—

“7104 21	--	Diamonds :			
7104 21 10	---	Industrial	c/k	10%	-
7104 21 20	---	Non-industrial	c/k	10%	-”;

(b) for tariff item 7104 91 00 and the entries relating thereto, the following shall be substituted, namely:—

“7104 91	--	Diamonds :			
7104 91 10	---	Industrial	c/k	10%	-
7104 91 20	---	Non-industrial	c/k	10%	-”;

(iii) in heading 7105, for tariff item 7105 10 00 and the entries relating thereto, the following shall be substituted, namely:—

“7105 10 - *Of diamonds* :

7105 10 10	---	Of heading 7102	c/k	10%	-
7105 10 20	---	Of heading 7104	c/k	10%	-”;

(iv) in heading 7113,—

(a) for tariff items 7113 11 20 and 7113 11 30 and the entries relating thereto, the following shall be substituted, namely:—

“--- *Other jewellery* :

7113 11 41	----	Unstudded	kg.	25%	-
7113 11 42	----	Studded with pearls	kg.	25%	-
7113 11 43	----	Studded with diamonds of heading 7102	kg.	25%	-
7113 11 44	----	Studded with diamonds of heading 7104	kg.	25%	-
7113 11 45	----	Studded with other precious and semi-precious stones	kg.	25%	-
7113 11 49	----	Other	kg.	25%	-”;

(b) for tariff items 7113 19 10 to 7113 19 50 and the entries relating thereto, the following shall be substituted, namely:—

“--- *Of gold* :

7113 19 11	----	Unstudded	kg.	25%	-
7113 19 12	----	Studded with pearls	kg.	25%	-
7113 19 13	----	Studded with diamonds of heading 7102	kg.	25%	-
7113 19 14	----	Studded with diamonds of heading 7104	kg.	25%	-
7113 19 15	----	Studded with other precious and semi-precious stones	kg.	25%	-
7113 19 19	----	Other	kg.	25%	-

--- *Of platinum* :

7113 19 21	----	Unstudded	kg.	25%	-
7113 19 22	----	Studded with pearls	kg.	25%	-
7113 19 23	----	Studded with diamonds of heading 7102	kg.	25%	-
7113 19 24	----	Studded with diamonds of heading 7104	kg.	25%	-
7113 19 25	----	Studded with other precious and semi-precious stones	kg.	25%	-
7113 19 29	----	Other	kg.	25%	-”;

(24) in Chapter 84,—

(i) in heading 8414, for tariff item 8414 10 00 and the entries relating thereto, the following shall be substituted, namely:—

“8414 10 - *Vacuum pumps :*

8414 10 10	---	with maximum flow-rate greater than 5 m <sup>3</sup> /h (under standard temperature (273 K (0 °C)) and pressure (101.3 kPa) conditions)	u	7.5%	-
------------	-----	---	---	------	---

8414 10 90	---	Other	u	7.5%	-”;
------------	-----	-------	---	------	-----

(ii) in heading 8419,—

(a) for tariff items 8419 50 10 to 8419 50 90 and the entries relating thereto, the following shall be substituted, namely:—

“--- *with a heat transfer surface area of greater than 0.15 m<sup>2</sup>, and less than 20 m<sup>2</sup> :*

8419 50 11	----	Shell and tube type	u	7.5%	-
------------	------	---------------------	---	------	---

8419 50 12	----	Plate type	u	7.5%	-
------------	------	------------	---	------	---

8419 50 13	----	Spiral type	u	7.5%	-
------------	------	-------------	---	------	---

8419 50 19	----	Other	u	7.5%	-
------------	------	-------	---	------	---

--- *Other :*

8419 50 91	----	Shell and tube type	u	7.5%	-
------------	------	---------------------	---	------	---

8419 50 92	----	Plate type	u	7.5%	-
------------	------	------------	---	------	---

8419 50 93	----	Spiral type	u	7.5%	-
------------	------	-------------	---	------	---

8419 50 99	----	Other	u	7.5%	-”;
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(b) for tariff item 8419 89 10 and the entries relating thereto, the following shall be substituted, namely:—

“--- *Pressure vessels, reactors, columns or towers or chemical storage tanks :*

8419 89 11	----	Pressure vessels	u	10%	-
------------	------	------------------	---	-----	---

8419 89 12	----	Reactors with total internal (geometric) volume greater than 0.1 m <sup>3</sup> (100 l) and less than 20 m <sup>3</sup> (20000 l)	u	10%	-
------------	------	---	---	-----	---

8419 89 13	----	Other reactors	u	10%	-
------------	------	----------------	---	-----	---

8419 89 14	----	Distillation or absorption columns of internal diameter greater than 0.1 m	u	10%	-
------------	------	--	---	-----	---

8419 89 15	----	Other distillation or absorption columns	u	10%	-
------------	------	--	---	-----	---

8419 89 16	----	Chemical storage tanks with a total internal (geometric) volume greater than 0.1 m <sup>3</sup> (100 l)	u	10%	-
------------	------	---	---	-----	---

8419 89 17	----	Other chemical storage tanks	u	10%	-
------------	------	------------------------------	---	-----	---

8419 89 19	----	Other	u	10%	-”;
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(25) in Chapter 85,—

(i) in heading 8517,—

(a) for the entry in column (2) occurring against tariff item 8517 62 30, the following shall be substituted, namely:—

“- - - Modems (modulators-demodulators) for xDSL based Wireline Telephony”;

(b) tariff item 8517 62 40 and the entries relating thereto shall be omitted;

(c) for the entry in column (2) occurring against tariff item 8517 62 70, the following shall be substituted, namely:—

“- - - Multiplexers, statistical multiplexers for PDH based Wireline Telephony”;

(d) in sub-heading 8517 69,—

(A) tariff item 8517 69 50 and the entries relating thereto shall be omitted;

(B) for the entry in column (2) occurring against tariff item 8517 69 60, the following shall be substituted, namely:—

“- - - Set top boxes for gaining access to internet for Wireline Telephony”;

(ii) for heading 8524, tariff items 8524 11 00 to 8524 99 00 and the entries relating thereto, the following shall be substituted, namely:—

“8524	FLAT PANEL DISPLAY MODULES, WHETHER OR NOT INCORPORATING TOUCH-SENSITIVE SCREENS			
	- Without drivers or control circuits :			
8524 11	-- Of liquid crystals :			
8524 11 10	--- For the goods of sub-heading 8471 30 or 8471 41	u	15%	-
8524 11 20	--- For the goods of sub-heading 8517 13 or 8517 14	u	15%	-
8524 11 30	--- For the goods of sub-heading 8528 72 or 8528 73	u	15%	-
8524 11 90	--- Other	u	15%	-
8524 12	-- Of organic light-emitting diodes (OLED) :			
8524 12 10	--- For the goods of sub-heading 8471 30 or 8471 41	u	15%	-
8524 12 20	--- For the goods of sub-heading 8517 13 or 8517 14	u	15%	-
8524 12 30	--- For the goods of sub-heading 8528 72 or 8528 73	u	15%	-
8524 12 90	--- Other	u	15%	-
8524 19	-- Other :			
8524 19 10	--- For the goods of sub-heading 8471 30 or 8471 41	u	15%	-
8524 19 20	--- For the goods of sub-heading 8517 13 or 8517 14	u	15%	-
8524 19 30	--- For the goods of sub-heading 8528 72 or 8528 73	u	15%	-
8524 19 90	--- Other	u	15%	-
	- Other :			

8524 91	--	<i>Of liquid crystals :</i>			
8524 91 10	---	For the goods of sub-heading 8471 30 or 8471 41	u	15%	-
8524 91 20	---	For the goods of sub-heading 8517 13 or 8517 14	u	15%	-
8524 91 30	---	For the goods of sub-heading 8528 72 or 8528 73	u	15%	-
8524 91 90	---	Other	u	15%	-
8524 92	--	<i>Of organic light-emitting diodes (OLED) :</i>			
8524 92 10	---	For the goods of sub-heading 8471 30 or 8471 41	u	15%	-
8524 92 20	---	For the goods of sub-heading 8517 13 or 8517 14	u	15%	-
8524 92 30	---	For the goods of sub-heading 8528 72 or 8528 73	u	15%	-
8524 92 90	---	Other	u	15%	-
8524 99	--	<i>Other :</i>			
8524 99 10	---	For the goods of sub-heading 8471 30 or 8471 41	u	15%	-
8524 99 20	---	For the goods of sub-heading 8517 13 or 8517 14	u	15%	-
8524 99 30	---	For the goods of sub-heading 8528 72 or 8528 73	u	15%	-
8524 99 90	---	Other	u	15%	”;
(26) in Chapter 87, in heading 8704, after tariff item 8704 10 10 and the entries relating thereto, the following shall be inserted, namely:—					
“8704 10 90	---	Other	u	40%	”.

## THE FIFTH SCHEDULE

(See section 136)

In the Second Schedule to the Customs Tariff Act, for serial numbers 8 and 9 and the entries relating thereto, the following serial numbers and entries shall be substituted, namely:—

Sl. No.	Chapter/heading/ sub-heading/Tariff Item	Description of goods	Rate of duty
(1)	(2)	(3)	(4)
“8.	120241	Groundnut in shell	Rs. 1,125 per tonne
9.	120242	Groundnut kernel	Rs. 1,500 per tonne”.



## THE SIXTH SCHEDULE

(See section 172)

In the Seventh Schedule to the Finance Act, 2001, —

(i) for the entry in column (4) occurring against tariff item 2402 20 10, the entry “Rs. 230 per thousand” shall be substituted;

(ii) for the entry in column (4) occurring against tariff item 2402 20 20, the entry “Rs. 290 per thousand” shall be substituted;

(iii) for the entry in column (4) occurring against tariff items 2402 20 30 and 2402 20 40, the entry “Rs. 510 per thousand” shall be substituted;

(iv) for the entry in column (4) occurring against tariff item 2402 20 50, the entry “Rs. 630 per thousand” shall be substituted;

(v) for the entry in column (4) occurring against tariff item 2402 20 90, the entry “Rs. 850 per thousand” shall be substituted;

(vi) for the entry in column (4) occurring against tariff item 2402 90 10, the entry “Rs. 690 per thousand” shall be substituted.

## THE SEVENTH SCHEDULE

[See section 135 (d)]

In the First Schedule to the Customs Tariff Act, in Chapter 90,—

(i) for the entry in column (4) occurring against tariff item 9022 14 10, the entry “15%” shall be substituted;

(ii) for the entry in column (4) occurring against tariff item 9022 14 20, the entry “15%” shall be substituted;

(iii) for the entry in column (4) occurring against tariff item 9022 14 90, the entry “15%” shall be substituted.

DR. REETA VASISHTA,  
*Secretary to the Govt. of India.*



# भारत का राजपत्र The Gazette of India

सी.जी.-डी.एल.-अ.-12042023-245119  
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असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० 10] नई दिल्ली, बुधवार, अप्रैल 12, 2023/चैत्र 22, 1945 (शक)  
No. 10] NEW DELHI, WEDNESDAY, APRIL 12, 2023/CHAITRA 22, 1945 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।  
Separate paging is given to this Part in order that it may be filed as a separate compilation.

## MINISTRY OF LAW AND JUSTICE (Legislative Department)

New Delhi, the 12th April, 2023/ Chaitra 22, 1945 (Saka)

### CORRIGENDA

### THE FINANCE ACT, 2023

No. 8 OF 2023

In the Finance Act, 2023 (8 of 2023), published in the Gazette of India, Extraordinary, Part II, Section 1, dated the 31st March, 2023, Issue No. 8,—

- (i) in page 15, line 26, *for* “lease”, *read* “leasing”;
- (ii) in page 18, line 46, *for* “substitued”, *read* “substituted”;
- (iii) in page 29, line 1, *for* “Specified”, *read* “Specified”;
- (iv) in page 49, line 17, *for* “before, it was”, *read* “before it was”;
- (v) in page 49, line 23, *for* “before, it was”, *read* “before it was”;
- (vi) in page 74, line 3-4, *for* “referred to in to in”, *read* “referred to in”;
- (vii) in page 76, line 32, *for* “sub-section (I)”, *read* “sub-section (I)”.

DR. REETA VASISHTA,  
Secretary to the Govt. of India.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ  
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ  
(ಆರ್. ಶ್ರೀನಿವಾಸ)  
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ  
ಸರ್ಕಾರದ ಉಪಕಾರ್ಯದರ್ಶಿ  
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು  
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-24

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ  
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 07 ಕೇಶಾಪು 2023 ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 19.04.2023.

ದಿನಾಂಕ: 11.04.2023 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ  
Part-II-Section-1 ರಲ್ಲಿ ಪ್ರಕಟವಾದ THE COMPETITION (AMENDMENT) ACT, 2023  
(No. 9 OF 2023) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ  
ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-



# भारत का राजपत्र The Gazette of India

सी.जी.-डी.एल.-अ.-11042023-245101

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असाधारण

EXTRAORDINARY

भाग II — खण्ड 1

PART II — Section 1

प्राधिकार से प्रकाशित

PUBLISHED BY AUTHORITY

सं० 9] नई दिल्ली, मंगलवार, अप्रैल 11, 2023/ चैत्र 21, 1945 (शक)  
No. 9] NEW DELHI, TUESDAY, APRIL 11, 2023/CHAITRA 21, 1945 (SAKA)

इस भाग में भिन्न पृष्ठ संख्या दी जाती है जिससे कि यह अलग संकलन के रूप में रखा जा सके।  
Separate paging is given to this Part in order that it may be filed as a separate compilation.

## MINISTRY OF LAW AND JUSTICE (Legislative Department)

*New Delhi, the 11th April, 2023/Chaitra 21, 1945 (Saka)*

The following Act of Parliament received the assent of the President on the 11th April, 2023 and is hereby published for general information:—

### THE COMPETITION (AMENDMENT) ACT, 2023

No. 9 OF 2023

[11th April, 2023.]

An Act further to amend the Competition Act, 2002.

BE it enacted by Parliament in the Seventy-fourth Year of the Republic of India as follows:—

1. (1) This Act may be called the Competition (Amendment) Act, 2023.

Short title and  
commencement.

(2) It shall come into force on such date as the Central Government may, by notification in the Official Gazette, appoint:

Provided that different dates may be appointed for different provisions of this Act and any reference in any such provision to the commencement of this Act shall be construed as a reference to the coming into force of that provision.

Substitution  
of references  
to certain  
expressions  
by certain  
other  
expressions.

Amendment  
of section 2.

**2.** In the Competition Act, 2002 (hereinafter referred to as the principal Act),— 12 of 2003.

(a) for the words and figures "the Companies Act, 1956", wherever they occur, 1 of 1956.  
the words and figures "the Companies Act, 2013" shall be substituted; 18 of 2013.

(b) for the figures and word "1 of 1956", wherever they occur, the figures and word "18 of 2013" shall be substituted.

**3.** In section 2 of the principal Act,—

(a) after clause (e), the following clause shall be inserted, namely:—

'(ea) "commitment" means the commitment referred to in section 48B;'

(b) in clause (h), for the portion beginning with the words "a person or a department of the Government" and ending with the words "defence and space", the following words shall be substituted, namely:—

"a person or a department of the Government, including units, divisions, subsidiaries, who or which is, or has been, engaged in any economic activity, relating to the production, storage, supply, distribution, acquisition or control of articles or goods, or the provision of services, of any kind, or in investment, or in the business of acquiring, holding, underwriting or dealing with shares, debentures or other securities of any other body corporate, either directly or through one or more of its units or divisions or subsidiaries, but does not include any activity of the Government relatable to the sovereign functions of the Government including all activities carried on by the departments of the Central Government dealing with atomic energy, currency, defence and space;"

(c) after clause (k), the following clause shall be inserted, namely:—

'(ka) "party" includes a consumer or an enterprise or a person or an information provider, or a consumer association or a trade association, or the Central Government or any State Government or any statutory authority, as the case may be, and shall include an enterprise or a person against whom any inquiry or proceeding is instituted; and any enterprise or person impleaded by the Commission to join the proceedings;'

(d) in clause (l), in sub-clause (vi), for the words and figures "section 617 of the Companies Act, 1956", the words, brackets and figures "clause (45) of section 2 of the Companies Act, 2013" shall be substituted; 1 of 1956.  
18 of 2013.

(e) for clause (p), the following clause shall be substituted, namely:—

'(p) "public financial institution" means public financial institution as defined in clause (72) of section 2 of the Companies Act, 2013 and includes a State Financial Corporation, State Industrial Corporation or State Investment Corporation;'

(f) for clause (t), the following clause shall be substituted, namely:—

'(t) "relevant product market" means a market comprising of all those products or services—

(i) which are regarded as inter-changeable or substitutable by the consumer, by reason of characteristics of the products or services, their prices and intended use; or

(ii) the production or supply of, which are regarded as inter-changeable or substitutable by the supplier, by reason of the ease of switching production between such products and services and marketing them in the short term without incurring significant additional costs or risks in response to small and permanent changes in relative prices;'



(g) after clause (u), the following clause shall be inserted, namely:—

'(ua) "settlement" means the settlement referred to in section 48A;'

4. In section 3 of the principal Act,—

Amendment  
of section 3.

(a) in sub-section (3), after the proviso, the following proviso shall be inserted, namely:—

"Provided further that an enterprise or association of enterprises or a person or association of persons though not engaged in identical or similar trade shall also be presumed to be part of the agreement under this sub-section if it participates or intends to participate in the furtherance of such agreement.";

(b) in sub-section (4),—

(i) for the words "Any agreement amongst enterprises or persons", the words "Any other agreement amongst enterprises or persons including but not restricted to agreement amongst enterprises or persons" shall be substituted;

(ii) in clause (b), for the word "supply", the word "dealing" shall be substituted;

(iii) before the *Explanation*, the following proviso shall be inserted, namely:—

"Provided that nothing contained in this sub-section shall apply to an agreement entered into between an enterprise and an end consumer.";

(iv) in the *Explanation*,—

(i) for clauses (a) and (b), the following clauses shall be substituted, namely:—

'(a) "tie-in arrangement" includes any agreement requiring a purchaser of goods or services, as a condition of such purchase, to purchase some other distinct goods or services;

(b) "exclusive dealing agreement" includes any agreement restricting in any manner the purchaser or the seller, as the case may be, in the course of his trade from acquiring or selling or otherwise dealing in any goods or services other than those of the seller or the purchaser or any other person, as the case may be;'

(ii) in clause (c), after the word "goods", at both the places where it occurs, the words "or services" shall be inserted;

(iii) in clause (d), after the word "goods", at both the places where it occurs, the words "or services" shall be inserted;

(iv) in clause (e), for the words "includes any agreement to sell goods on condition", the words "includes, in case of any agreement to sell goods or provide services, any direct or indirect restriction" shall be substituted;

(c) in sub-section (5), in clause (i), after sub-clause (f), the following sub-clause shall be inserted, namely:—

"(g) any other law for the time being in force relating to the protection of other intellectual property rights.".

5. In section 4 of the principal Act, in sub-section (2), in clause (a), in the *Explanation*, for the words "discriminatory condition or price", the words "condition or price" shall be substituted.

Amendment  
of section 4.

Amendment  
of section 5.

**6.** In section 5 of the principal Act,—

(A) in clause (c), in sub-clause (ii), in item (B), for the word "India.", the words "India; or" shall be substituted;

(B) after clause (c), the following clauses shall be inserted, namely:—

"(d) value of any transaction, in connection with acquisition of any control, shares, voting rights or assets of an enterprise, merger or amalgamation exceeds rupees two thousand crore:

Provided that the enterprise which is being acquired, taken control of, merged or amalgamated has such substantial business operations in India as may be specified by regulations.

(e) notwithstanding anything contained in clause (a) or clause (b) or clause (c), where either the value of assets or turnover of the enterprise being acquired, taken control of, merged or amalgamated in India is not more than such value as may be prescribed, such acquisition, control, merger or amalgamation, shall not constitute a combination under section 5.";

(C) for the *Explanation*, the following *Explanation* shall be substituted, namely:—

*'Explanation.*—For the purposes of this section,—

(a) "control" means the ability to exercise material influence, in any manner whatsoever, over the management or affairs or strategic commercial decisions by—

(i) one or more enterprises, either jointly or singly, over another enterprise or group; or

(ii) one or more groups, either jointly or singly, over another group or enterprise;

(b) "group" means two or more enterprises where one enterprise is directly or indirectly, in a position to—

(i) exercise twenty-six per cent. or such other higher percentage as may be prescribed, of the voting rights in the other enterprise; or

(ii) appoint more than fifty per cent. of the members of the board of directors in the other enterprise; or

(iii) control the management or affairs of the other enterprise;

(c) "turnover" means the turnover certified by the statutory auditor on the basis of the last available audited accounts of the company in the financial year immediately preceding the financial year in which the notice is filed under sub-section (2) or sub-section (4) of section 6 and such turnover in India shall be determined by excluding intra-group sales, indirect taxes, trade discounts and all amounts generated through assets or business from customers outside India, as certified by the statutory auditor on the basis of the last available audited accounts of the company in the financial year immediately preceding the financial year in which the notice is filed under sub-section (2) or sub-section (4) of section 6;

(d) "value of transaction" includes every valuable consideration, whether direct or indirect, or deferred for any acquisition, merger or amalgamation;

(e) the value of assets shall be determined by taking the book value of the assets as shown, in the audited books of account of the enterprise, in the financial year immediately preceding the financial year in which the date of proposed combination falls and if such financial statement has not yet become due to be filed with the Registrar under the Companies Act, 2013 then as per the statutory auditor's report made on the basis of

the last available audited accounts of the company in the financial year immediately preceding the financial year in which the notice is filed under sub-section (2) or sub-section (4) of section 6, as reduced by any depreciation, and the value of assets shall include the brand value, value of goodwill, or value of copyright, patent, permitted use, collective mark, registered proprietor, registered trade mark, registered user, homonymous geographical indication, geographical indications, design or layout-design or similar other commercial rights under the laws provided in sub-section (5) of section 3;

(f) where a portion of an enterprise or division or business is being acquired, taken control of, merged or amalgamated with another enterprise, the value of assets or turnover or value of transaction as may be applicable, of the said portion or division or business or attributable to it, shall be the relevant assets or turnover or relevant value of transaction for the purpose of applicability of the thresholds under section 5.'.

7. In section 6 of the principal Act,—

Amendment  
of section 6.

(a) in sub-section (2),—

(i) for the words "within thirty days of", the words "after any of the following, but before consummation of the combination" shall be substituted;

(ii) in clause (a), after the word, brackets and letter "clause (c)", the words, brackets and letter "and clause (d)" shall be inserted;

(iii) in clause (b), after the word, brackets and letter "clause (a)", the words, brackets and letter "and clause (d)" shall be inserted;

(iv) the following *Explanation* shall be inserted, namely:—

*'Explanation.—*For the purposes of this sub-section, "other document" means any document, by whatever name called, conveying an agreement or decision to acquire control, shares, voting rights or assets or if the acquisition is without the consent of the enterprise being acquired, any document executed by the acquiring enterprise, by whatever name called, conveying a decision to acquire control, shares or voting rights or where a public announcement has been made in accordance with the provisions of the Securities and Exchange Board of India (Substantial Acquisition of Shares and Takeovers) Regulations, 2011 made under the Securities and Exchange Board of India Act, 1992 for acquisition of shares, voting rights or control such public document.';

(b) in sub-section (2A), for the words "two hundred and ten days", the words "one hundred and fifty days" shall be substituted;

(c) in sub-section (3), for the words and figures "sections 29, 30 and 31", the words, figures and letter "sections 29, 29A, 30 and 31" shall be substituted;

(d) for sub-sections (4) and (5) and the *Explanation*, the following shall be substituted, namely:—

'(4) Notwithstanding anything contained in sub-sections (2A) and (3) and section 43A, if a combination fulfils such criteria as may be prescribed and is not otherwise exempted under this Act from the requirement to give notice to the Commission under sub-section (2), then notice for such combination may be given to the Commission in such form and on payment of such fee as may be specified by regulations, disclosing the details of the proposed combination and thereupon a separate notice under sub-section (2) shall not be required to be given for such combination.

(5) Upon filing of a notice under sub-section (4) and acknowledgement thereof by the Commission, the proposed combination shall be deemed to have been approved by the Commission under sub-section (1) of section 31 and no other approval shall be required under sub-section (2) or sub-section (2A).

(6) If within the period referred to in sub-section (1) of section 20, the Commission finds that the combination notified under sub-section (4) does not fulfil the requirements specified under that sub-section or the information or declarations provided are materially incorrect or incomplete, the approval under sub-section (5) shall be void *ab initio* and the Commission may pass such order as it may deem fit:

Provided that no such order shall be passed unless the parties to the combination have been given an opportunity of being heard.

(7) Notwithstanding anything contained in this section and section 43A, upon fulfilment of such criteria as may be prescribed, certain categories of combinations shall be exempted from the requirement to comply with sub-sections (2), (2A) and (4).

(8) Notwithstanding anything contained in sub-sections (4), (5), (6) and (7)—

(i) the rules and regulations made under this Act on the matters referred to in these sub-sections as they stood immediately before the commencement of the Competition (Amendment) Act, 2023 and in force at such commencement, shall continue to be in force, till such time as the rules or regulations, as the case may be, made under this Act; and

(ii) any order passed or any fee imposed or combination consummated or resolution passed or direction given or instrument executed or issued or thing done under or in pursuance of any rules and regulations made under this Act shall, if in force at the commencement of the Competition (Amendment) Act, 2023, continue to be in force, and shall have effect as if such order passed or such fee imposed or such combination consummated or such resolution passed or such direction given or such instrument executed or issued or done under or in pursuance of this Act.

(9) The provisions of this section shall not apply to share subscription or financing facility or any acquisition, by a public financial institution, foreign portfolio investor, bank or Category I alternative investment fund, pursuant to any covenant of a loan agreement or investment agreement.

*Explanation.*—For the purposes of this section, the expression—

(a) "Category I alternative investment fund" has the same meaning as assigned to it under the Securities and Exchange Board of India (Alternative Investment Funds) Regulations, 2012 made under the Securities and Exchange Board of India Act, 1992;

15 of 1992.

(b) "foreign portfolio investor" has the same meaning as assigned to it under the Securities and Exchange Board of India (Foreign Portfolio Investors) Regulations, 2019 made under the Securities and Exchange Board of India Act, 1992.'

15 of 1992.

**8.** After section 6 of the principal Act, the following section shall be inserted, namely:—

'6A. Nothing contained in sub-section (2A) of section 6 and section 43A shall prevent the implementation of an open offer or an acquisition of shares or securities

Insertion of a  
new section  
6A.  
Open offers,  
etc.

convertible into other securities from various sellers, through a series of transactions on a regulated stock exchange from coming into effect, if—

(a) the notice of the acquisition is filed with the Commission within such time and in such manner as may be specified by regulations; and

(b) the acquirer does not exercise any ownership or beneficial rights or interest in such shares or convertible securities including voting rights and receipt of dividends or any other distributions, except as may be specified by regulations, till the Commission approves such acquisition in accordance with the provisions of sub-section (2A) of section 6 of the Act.

*Explanation.*—For the purposes of this section, "open offer" means an open offer made in accordance with the Securities and Exchange Board of India (Substantial Acquisition of Shares and Takeovers) Regulation, 2011 made under the Securities and Exchange Board of India Act, 1992.

15 of 1992.

**9.** In section 8 of the principal Act, in sub-section (2), after the word "industry," the word "technology," shall be inserted. Amendment of section 8.

**10.** In section 9 of the principal Act, in sub-section (1), in clause (d), after the word "industry," the word "technology," shall be inserted. Amendment of section 9.

**11.** For section 12 of the principal Act, the following section shall be substituted, namely:— Substitution of new section for section 12.

"12. (1) The Chairperson and other Members shall, for a period of two years from the date on which they cease to hold office, not accept any employment in or advise as a consultant, retainer or in any other capacity whatsoever, or be connected with the management or administration of— Restriction on employment of Chairperson and other Members.

(a) any enterprise which is or has been a party to a proceeding before the Commission under this Act; or

(b) any person who appears or has appeared before the Commission under section 35.

(2) Notwithstanding anything contained in section 35, the Chairperson or any other Member after retirement or otherwise ceasing to be in service for any reason shall not represent for any person or enterprise before the Commission:

Provided that nothing contained in this section shall apply to any employment under the Central Government or a State Government or local authority or in any statutory authority or any corporation established by or under any Central, State or Provincial Act or a Government company as defined in clause (45) of section 2 of the Companies Act, 2013."

18 of 2013.

**12.** In section 16 of the principal Act, in sub-section (1), for the words "Central Government may, by notification", the words "Commission may, with the prior approval of the Central Government" shall be substituted. Amendment of section 16.

**13.** For section 18 of the principal Act, the following section shall be substituted, namely:— Substitution of new section for section 18.

"18. Subject to the provisions of this Act, it shall be the duty of the Commission to eliminate practices having adverse effect on competition, promote and sustain competition, protect the interests of consumers and ensure freedom of trade carried on by other participants, in markets in India: Duties and functions of Commission.

Provided that the Commission may, for the purpose of discharging its duties or performing its functions under this Act, enter into any memorandum or arrangement with the prior approval of the Central Government, with any agency of any foreign country:

Provided further that, the Commission may, for the purpose of discharging its duties or performing its functions under this Act, enter into any memorandum or arrangement with any statutory authority or department of Government."

Amendment  
of section 19.

**14.** In section 19 of the principal Act,—

(a) in sub-section (1), the following provisos shall be inserted, namely:—

"Provided that the Commission shall not entertain an information or a reference unless it is filed within three years from the date on which the cause of action has arisen:

Provided further that an information or a reference may be entertained after the period specified in the first proviso if the Commission is satisfied that there had been sufficient cause for not filing the information or the reference within such period after recording its reasons for condoning such delay.";

(b) in sub-section (3),—

(i) in clause (c), the words "by hindering entry into the market" shall be omitted;

(ii) in clause (d), for the words "accrual of benefits", the words "benefits or harm" shall be substituted;

(c) in sub-section (6), after clause (h), the following clauses shall be inserted, namely:—

"(i) characteristics of goods or nature of services;

(j) costs associated with switching supply or demand to other areas.";

(d) in sub-section (7),—

(i) in clause (a), after the words "end-use of goods", the words "or the nature of services" shall be inserted;

(ii) after clause (f), the following clauses shall be inserted, namely:—

"(g) costs associated with switching demand or supply to other goods or services;

(h) categories of customers."

Amendment  
of section 20.

**15.** In section 20 of the principal Act,—

(a) in sub-section (1), for the words, brackets and letter "clause (c) of that section", the words, brackets, letters and figure "clause (c) of section 5 or acquisition of any control, shares, voting right or assets of an enterprise, merger or amalgamation referred to in clause (d) of that section" shall be substituted;

(b) in sub-section (3), for the words "by notification, enhance or reduce, on the basis of the wholesale price index or fluctuations in exchange rate of rupee or foreign currencies, the value of assets or the value of turnover", the words "enhance or reduce by notification, or keep at the same level, on the basis of the wholesale price index or fluctuations in exchange rate of rupee or foreign currencies, or such factors that in its opinion are relevant in this matter, the value of assets or the value of turnover or value of transaction" shall be substituted;

(c) in sub-section (4), in clause (c), for the word "combination", the word "concentration" shall be substituted.

Amendment  
of section 21.

**16.** In section 21 of the principal Act, in sub-section (1), for the proviso, the following proviso shall be substituted, namely:—

"Provided that any statutory authority, may, *suo motu*, make a reference to the



Commission on any issue that involves any provision of this Act or is related to promoting the objectives of this Act, as the case may be."

**17.** In section 21A of the principal Act, in sub-section (1),—

Amendment of  
section 21A.

(a) for the words "this Act", the words "an Act" shall be substituted;

(b) for the proviso, the following proviso shall be substituted, namely:—

"Provided that the Commission, may, *suo motu*, make a reference to a statutory authority on any issue that involves provisions of an Act whose implementation is entrusted to that statutory authority."

**18.** In section 22 of the principal Act, in sub-section (3), the words "and in the event of equality of votes, the Chairperson or in his absence, the Member presiding, shall have a second or casting vote" shall be omitted.

Amendment  
of section 22.

**19.** In section 26 of the principal Act,—

Amendment  
of section 26.

(a) after sub-section (2), the following sub-section shall be inserted, namely:—

"(2A) The Commission may not inquire into agreement referred to in section 3 or conduct of an enterprise or group under section 4, if the same or substantially the same facts and issues raised in the information received under section 19 or reference from the Central Government or a State Government or a statutory authority has already been decided by the Commission in its previous order.";

(b) after sub-section (3), the following sub-sections shall be inserted, namely:—

"(3A) If, after consideration of the report of the Director General referred to in sub-section (3), the Commission is of the opinion that further investigation is required, it may direct the Director General to investigate further into the matter.

(3B) The Director General shall, on receipt of direction under sub-section (3A), investigate the matter and submit a supplementary report on his findings within such period as may be specified by the Commission.";

(c) in sub-section (4), for the word, brackets and figure "sub-section (3)", at both the places where they occur, the words, brackets, figures and letter "sub-sections (3) and (3B)" shall be substituted;

(d) in sub-section (5), for the word, brackets and figure "sub-section (3)", the words, brackets, figures and letter "sub-sections (3) and (3B)" shall be substituted;

(e) in sub-section (8), for the word, brackets and figure "sub-section (3)", the words, brackets, figures and letter "sub-sections (3) and (3B)" shall be substituted;

(f) after sub-section (8), the following sub-section shall be inserted, namely:—

"(9) Upon completion of the investigation or inquiry under sub-section (7) or sub-section (8), as the case may be, the Commission may pass an order closing the matter or pass an order under section 27, and send a copy of its order to the Central Government or the State Government or the statutory authority or the parties concerned, as the case may be:

Provided that before passing such order, the Commission shall issue a show-cause notice indicating the contraventions alleged to have been committed and such other details as may be specified by regulations and give a reasonable opportunity of being heard to the parties concerned."

**20.** In section 27 of the principal Act, for clause (b), the following clause shall be substituted, namely:—

Amendment  
of section 27.

'(b) impose such penalty, as it may deem fit which shall be not more than ten per cent. of the average of the turnover or income, as the case may be, for the last three

preceding financial years, upon each of such person or enterprise which is a party to such agreement or has abused its dominant position:

Provided that in case any agreement referred to in section 3 has been entered into by a cartel, the Commission may impose upon each producer, seller, distributor, trader or service provider included in that cartel, a penalty of up to three times of its profit for each year of the continuance of such agreement or ten per cent. of its turnover or income, as the case may be, for each year of the continuance of such agreement, whichever is higher.

*Explanation 1.*—For the purposes of this clause, the expression "turnover" or "income", as the case may be, shall be determined in such manner as may be specified by regulations.

*Explanation 2.*—For the purposes of this clause, "turnover" means global turnover derived from all the products and services by a person or an enterprise.'.

Amendment  
of section 29.

**21.** In section 29 of the principal Act,—

(a) in sub-section (1), for the words "within thirty days", the words "within fifteen days" shall be substituted;

(b) after sub-section (1A), the following sub-section shall be inserted, namely:—

"(1B) The Commission shall, within thirty days of receipt of notice under sub-section (2) of section 6, form its *prima facie* opinion referred to in sub-section (1).";

(c) in sub-section (2),—

(i) for the words "within seven working days", the words "within seven days" shall be substituted;

(ii) for the words "within ten working days", the words "within seven days" shall be substituted;

(d) in sub-section (3), for the words "within fifteen working days", the words "within ten days" shall be substituted;

(e) in sub-section (4), for the words "within fifteen working days", the words "within seven days" shall be substituted;

(f) in sub-section (5), for the words "within fifteen days", the words "within ten days" shall be substituted;

(g) for sub-section (6), the following sub-sections shall be substituted, namely:—

"(6) After receipt of all information, the Commission shall proceed to deal with the case in accordance with the provisions contained in section 29A or section 31, as the case may be.

(7) Notwithstanding anything contained in this section, the Commission may accept appropriate modifications offered by the parties to the combination or *suo motu* propose modifications, as the case may be, before forming a *prima facie* opinion under sub-section (1).".

Insertion of  
new section  
29A.

**22.** After section 29 of the principal Act, the following section shall be inserted, namely:—

Issue of  
statement of  
objections by  
Commission  
and proposal  
of  
modifications.

"29A. (1) Upon completion of the process under section 29, where the Commission is of the opinion that the combination has, or is likely to have, an appreciable adverse effect on competition, it shall issue a statement of objections to the parties identifying such appreciable adverse effect on competition and direct the parties to explain within twenty-five days of receipt of the statement of objections, why such combination should be allowed to take effect.

(2) Where the parties to the combination consider that such appreciable adverse effect on competition can be eliminated by suitable modification to such combination,

they may submit an offer of appropriate modification to the combination along with their explanation to the statement of objections issued under sub-section (1) in such manner as may be specified by regulations.

(3) If the Commission does not accept the modification submitted by the parties under sub-section (2) it shall, within seven days from the date of receipt of the proposed modifications under that sub-section, communicate to the parties as to why the modification is not sufficient to eliminate the appreciable adverse effect on competition and call upon the parties to furnish, within twelve days of the receipt of the said communication, revised modification, if any, to eliminate the appreciable adverse effects on competition:

Provided that the Commission shall evaluate such proposal for modification within twelve days from receipt of such proposal:

Provided further that the Commission may *suo motu* propose appropriate modifications to the combination which may be considered by the parties to the combination."

**23.** In section 31 of the principal Act,—

Amendment  
of section 31.

(a) in the marginal heading, the word "certain" shall be omitted;

(b) in sub-section (1), the words "including the combination" shall be omitted;

(c) after sub-section (1), the following proviso shall be inserted, namely:—

"Provided that if the Commission does not form a *prima facie* opinion as provided under sub-section (1B) of section 29, the combination shall be deemed to have been approved and no separate order shall be required to be passed.";

(d) for sub-sections (3), (4), (5) and (6), the following sub-sections shall be substituted, namely:—

"(3) Where the Commission is of the opinion that any appreciable adverse effect on competition that the combination has, or is likely to have, can be eliminated by modification proposed by the parties or the Commission, as the case may be, under sub-section (7) of section 29 or sub-section (2) or sub-section (3) of section 29A, it may approve the combination subject to such modifications as it thinks fit.

(4) Where a combination is approved by the Commission under sub-section (3), the parties to the combination shall carry out such modification within such period as may be specified by the Commission.

(5) Where—

(a) the Commission has directed under sub-section (2) that the combination shall not take effect; or

(b) the parties to the combination, fail to carry out the modification within such period as may be specified by the Commission under sub-section (4); or

(c) the Commission is of the opinion that the combination has, or is likely to have, an appreciable adverse effect on competition which cannot be eliminated by suitable modification to such combination,

then, without prejudice to any penalty which may be imposed or any prosecution which may be initiated under this Act, the Commission may order that such combination shall not be given effect to, or be declared void, or frame a scheme to be implemented by the parties to address the appreciable adverse effect on competition, as the case may be.

(6) If no order is passed or direction issued by the Commission in accordance with the provisions of sub-section (1) or sub-section (2) or sub-section (3) or sub-section (5), as the case may be, within a period of one hundred and fifty days from the date of notice given to the Commission under sub-section (2) of section 6, the combination shall be deemed to have been approved by the Commission.";

(e) sub-sections (7), (8), (9), (10), (11) and (12) shall be omitted.

Amendment  
of section 32.

**24.** In section 32 of the principal Act, for the figures and word "29 and 30", the figures, letter and word "29, 29A and 30" shall be substituted.

Amendment  
of section 35.

**25.** Section 35 of the principal Act shall be numbered as sub-section (1) thereof,—

(a) in sub-section (1) as so numbered, for the words "A person or an enterprise", the words "A party" shall be substituted;

(b) after sub-section (1) as so numbered, the following sub-section shall be inserted, namely:—

"(2) Without prejudice to sub-section (1), a party may call upon experts from the fields of economics, commerce, international trade or from any other discipline to provide an expert opinion in connection with any matter related to a case.".

Amendment  
of section 41.

**26.** In section 41 of the principal Act,—

(a) for sub-section (3), the following sub-sections shall be substituted, namely:—

"(3) Without prejudice to sub-section (2), it shall be the duty of all officers, other employees and agents of a party which are under investigation—

(a) to preserve and to produce all information, books, papers, other documents and records of, or relating to, the party which are in their custody or power to the Director General or any person authorised by it in this behalf; and

(b) to give all assistance in connection with the investigation to the Director General.

(4) The Director General may require any person other than a party referred to in sub-section (3) to furnish such information or produce such books, papers, other documents or records before it or any person authorised by it in this behalf if furnishing of such information or the production of such books, papers, other documents or records is relevant or necessary for the purposes of its investigation.

(5) The Director General may keep in his custody any information, books, papers, other documents or records produced under sub-section (3) or sub-section (4) for a period of one hundred and eighty days and thereafter shall return the same to the person by whom or on whose behalf the information, books, papers, other documents or records were produced:

Provided that the information, books, papers, other documents or records may be called for by the Director General if they are needed again for a further period of one hundred and eighty days by an order in writing:

Provided further that the certified copies of the information, books, papers, other documents or records, as may be applicable, produced before the Director General may be provided to the party or person on whose behalf the information, books, papers, other documents or records are produced at their own cost.

(6) The Director General may examine on oath—

(a) any of the officers and other employees and agents of the party being investigated; and

(b) with the previous approval of the Commission, any other person, in relation to the affairs of the party being investigated and may administer an oath accordingly and for that purpose may require any of those persons to appear before it personally.

(7) The examination under sub-section (6) shall be recorded in writing and shall be read over to or by, and signed by, the person examined and may thereafter be used in evidence against it.

(8) Where in the course of investigation, the Director General has reasonable grounds to believe that information, books, papers, other documents or records of, or relating to, any party or person, may be destroyed, mutilated, altered, falsified or secreted, the Director General may make an application to the Chief Metropolitan Magistrate, Delhi for an order for seizure of such information, books, papers, other documents or records.

(9) The Director General may make requisition of the services of any police officer or any officer of the Central Government to assist him for all or any of the purposes specified in sub-section (10) and it shall be the duty of every such officer to comply with such requisition.

(10) The Chief Metropolitan Magistrate, Delhi may, after considering the application and hearing from the Director General, by order, authorise the Director General—

(a) to enter, with such assistance, as may be required, the place or places where such information, books, papers, other documents or records are kept;

(b) to search that place or places in the manner specified in the order; and

(c) to seize information, books, papers, other documents or records as it considers necessary for the purpose of the investigation:

Provided that certified copies of the seized information, books, papers, other documents or records, as the case may be, may be provided to the party or person from whose place or places such documents have been seized at its cost.

(11) The Director General shall keep in his custody such information, books, papers, other documents or records seized under this section for such period not later than the conclusion of the investigation as it considers necessary and thereafter shall return the same to the party or person from whose custody or power they were seized and inform the Chief Metropolitan Magistrate, of such return:

Provided that the Director General may, before returning such information, books, papers, other documents or records take copies of, or extracts thereof or place identification marks on them or any part thereof.

(12) Save as otherwise provided in this section, every search or seizure made under this section shall be carried out in accordance with the provisions of the Code of Criminal Procedure, 1973, relating to search or seizure made under that Code." 2 of 1974.

(b) for the *Explanation*, the following *Explanation* shall be substituted, namely:—

‘*Explanation*.—For the purposes of this section,—

(a) "agent", in relation to any person, means any one acting or purporting to act for or on behalf of such person, and includes the bankers, and persons employed as auditors and legal advisors, by such person;

(b) "officers", in relation to any company or body corporate, includes any trustee for the debenture holders of such company or body corporate;

(c) any reference to officers and other employees or agents shall be construed as a reference to past as well as present officers and other employees or agents, as the case may be.’

Amendment  
of section 42.

**27.** In section 42 of the principal Act,—

(a) in sub-section (2), for the words, figures and letters "sections 27, 28, 31, 32, 33, 42A and 43A of the Act, he shall be punishable with fine", the words, figures and letters "sections 6, 27, 28, 31, 32, 33, 42A, 43, 43A, 44 and 45 of the Act, he shall be liable to a penalty" shall be substituted;

(b) in sub-section (3), for the words, brackets and figure "pay the fine imposed under sub-section (2)", the words, brackets and figure "pay the penalty imposed under sub-section (2)" shall be substituted.

Amendment  
of section  
42A.

**28.** In section 42A of the principal Act, for the words and figures "under sections 27", the words and figures "under sections 6, 27" shall be substituted.

Amendment  
of section 43.

**29.** In section 43 of the principal Act, for the words "shall be punishable with fine", the words "shall be liable to a penalty" shall be substituted.

Substitution  
of new  
section for  
section 43A.

**30.** For section 43A of the principal Act, the following section shall be substituted, namely:—

Power to  
impose  
penalty for  
non-  
furnishing of  
information  
on  
combination.

"43A. If any person or enterprise fails to give notice to the Commission under sub-section (2) or sub-section (4) of section 6 or contravenes sub-section (2A) of section 6 or submit information pursuant to an inquiry under sub-section (1) of section 20, the Commission may impose on such person or enterprise, a penalty which may extend to one per cent., of the total turnover or assets or the value of transaction referred to in clause (d) of section 5, whichever is higher, of such a combination:

Provided that in case any person or enterprise has given a notice under sub-section (4) of section 6 and such notice is found to be void *ab initio* under sub-section (6) of section 6, then a notice under sub-section (2) of section 6 may be given by the acquirer or parties to the combination, as may be applicable, within a period of thirty days of the order of the Commission under sub-section (6) of that section and no action under this section shall be taken by the Commission till the expiry of such period of thirty days."

Amendment  
of section 44.

**31.** In section 44 of the principal Act, for the words "rupees one crore", the words "rupees five crore" shall be substituted.

**32.** In section 45 of the principal Act,—

Amendment  
of section 45.

(a) in the marginal heading, for the word "offences", the word "contraventions" shall be substituted;

(b) in sub-section (1),—

(i) after the words "Without prejudice to the provisions of", the words, brackets and figures "sub-section (6) of section 6 and" shall be inserted;

(ii) for the words "punishable with fine", the words "liable to a penalty" shall be substituted.

**33.** For section 46 of the principal Act, the following section shall be substituted, namely:—

Substitution of  
new section  
for section 46.

"46. (1) The Commission may, if it is satisfied that any producer, seller, distributor, trader or service provider included in any cartel, which is alleged to have violated section 3, has made a full and true disclosure in respect of the alleged violations and such disclosure is vital, impose upon such producer, seller, distributor, trader or service provider a lesser penalty as may be specified by regulations, than leviable under this Act or the rules or the regulations made under this Act:

Power to  
impose lesser  
penalty.

Provided that lesser penalty shall not be imposed by the Commission in cases where the report of investigation directed under section 26 has been received before making of such disclosure:

Provided further that lesser penalty shall be imposed by the Commission only in respect of a producer, seller, distributor, trader or service provider included in the cartel, who has made the full, true and vital disclosures under this section:

Provided also that lesser penalty shall not be imposed by the Commission if the person making the disclosure does not continue to co-operate with the Commission till the completion of the proceedings before the Commission:

Provided also that the Commission may, if it is satisfied that such producer, seller, distributor, trader or service provider included in the cartel had in the course of proceedings,—

(a) not complied with the condition on which the lesser penalty was imposed by the Commission; or

(b) had given false evidence; or

(c) the disclosure made is not vital,

and thereupon such producer, seller, distributor, trader or service provider may be tried for the contravention with respect to which the lesser penalty was imposed and shall also be liable to the imposition of penalty to which such person has been liable, had lesser penalty not been imposed.

(2) The Commission may allow a producer, seller, distributor, trader or service provider included in the cartel, to withdraw its application for lesser penalty under this section, in such manner and within such time as may be specified by regulations.

(3) Notwithstanding anything contained in sub-section (2), the Director General and the Commission shall be entitled to use for the purposes of this Act, any evidence submitted by a producer, seller, distributor, trader or service provider in its application for lesser penalty, except its admission.

(4) Where during the course of the investigation, a producer, seller, distributor, trader or service provider who has disclosed a cartel under sub-section (1), makes a full, true and vital disclosure under sub-section (1) with respect to another cartel in which it is alleged to have violated section 3, which enables the Commission to form a *prima facie* opinion under sub-section (1) of section 26 that there exists another cartel, then the Commission may impose upon such producer, seller, distributor, trader or



service provider a lesser penalty as may be specified by regulations, in respect of the cartel already being investigated, without prejudice to the producer, seller, distributor, trader or service provider obtaining lesser penalty under sub-section (1) regarding the newly disclosed cartel."

Amendment  
of section 47.

**34.** In section 47 of the principal Act, after the word "penalties", the words "and recovery of legal costs by the Commission" shall be inserted.

Substitution of  
new sections  
for section 48.  
Contravention  
by companies.

**35.** For section 48 of the principal Act, the following sections shall be substituted, namely:—

'48. (1) Where a person committing contravention of any of the provisions of this Act or of any rule, regulation, order made or direction issued thereunder is a company, every person who, at the time the contravention was committed, was in charge of, and was responsible to the company for the conduct of the business of the company, as well as the company, shall be deemed to be in contravention of this Act and unless otherwise provided in this Act, the Commission may impose such penalty on such persons, as it may deem fit which shall not be more than ten per cent. of the average of the income for the last three preceding financial years:

Provided that in case any agreement referred to in sub-section (3) of section 3 has been entered into by a cartel, the Commission may unless otherwise provided in this Act, impose upon such persons referred to in sub-section (1), a penalty of up to ten per cent. of the income for each year of the continuance of such agreement.

(2) Nothing contained in sub-section (1) shall render any such person liable to any penalty if he proves that the contravention was committed without his knowledge or that he had exercised all due diligence to prevent the commission of such contravention.

(3) Notwithstanding anything contained in sub-section (1), where a contravention of any of the provisions of this Act or of any rule, regulation, order made or direction issued thereunder has been committed by a company and it is proved that the contravention has taken place with the consent or connivance of, or is attributable to any neglect on the part of, any director, manager, secretary or other officers of the company, such director, manager, secretary or other officers shall also be deemed to be in contravention of the provisions of this Act and unless otherwise provided in this Act, the Commission may impose such penalty on such persons, as it may deem fit which shall not be more than ten per cent. of the average of the income for the last three preceding financial years:

Provided that in case any agreement referred to in sub-section (3) of section 3 has been entered into by a cartel, the Commission may, unless otherwise provided under this Act, impose upon such person a penalty as it may deem fit which shall not exceed ten per cent. of the income for each year of the continuance of such agreement.

*Explanation.*—For the purposes of this section,—

(a) "company" means a body corporate and includes a firm or other association of individuals;

(b) "director", in relation to a firm, means a partner in the firm;

(c) "income", in relation to a person, shall be determined in such manner as may be specified by regulations.

Settlement.

48A. (1) Any enterprise, against whom any inquiry has been initiated under sub-section (1) of section 26 for contravention of sub-section (4) of section 3 or section 4, may, for settlement of the proceeding initiated for the alleged contraventions, submit an application in writing to the Commission in such form and upon payment of such fee as may be specified by regulations.

(2) An application under sub-section (1) may be submitted at any time after the receipt of the report of the Director General under sub-section (4) of section 26 but prior to such time before the passing of an order under section 27 or section 28 as may be specified by regulations.

(3) The Commission may, after taking into consideration the nature, gravity and impact of the contraventions, agree to the proposal for settlement, on payment of such amount by the applicant or on such other terms and manner of implementation of settlement and monitoring as may be specified by regulations.

(4) While considering the proposal for settlement, the Commission shall provide an opportunity to the party concerned, the Director General, or any other party to submit their objections and suggestions, if any.

(5) If the Commission is of the opinion that the settlement offered under sub-section (1) is not appropriate in the circumstances or if the Commission and the party concerned do not reach an agreement on the terms of the settlement within such time as may be specified by regulations, it shall, by order, reject the settlement application and proceed with its inquiry under section 26.

(6) The procedure for conducting the settlement proceedings under this section shall be such as may be specified by regulations.

(7) No appeal shall lie under section 53B against any order passed by the Commission under this section.

(8) All settlement amounts, realised under this Act shall be credited to the Consolidated Fund of India.

48B. (1) Any enterprise, against whom any inquiry has been initiated under sub-section (1) of section 26 for contravention of sub-section (4) of section 3 or section 4, as the case may be, may submit an application in writing to the Commission, in such form and on payment of such fee as may be specified by regulations, offering commitments in respect of the alleged contraventions stated in the Commission's order under sub-section (1) of section 26.

Commitment.

(2) An offer for commitments under sub-section (1) may be submitted at any time after an order under sub-section (1) of section 26 has been passed by the Commission but within such time prior to the receipt by the party of the report of the Director General under sub-section (4) of section 26 as may be specified by regulations.

(3) The Commission may, after taking into consideration the nature, gravity and impact of the alleged contraventions and effectiveness of the proposed commitments, accept the commitments offered on such terms and the manner of implementation and monitoring as may be specified by regulations.

(4) While considering the proposal for commitment, the Commission shall provide an opportunity to the party concerned, the Director General, or any other party to submit their objections and suggestions, if any.

(5) If the Commission is of the opinion that the commitment offered under sub-section (1) is not appropriate in the circumstances or if the Commission and the party concerned do not reach an agreement on the terms of the commitment, it shall pass an order rejecting the commitment application and proceed with its inquiry under section 26 of the Act.

(6) The procedure for commitments offered under this section shall be such as may be specified by regulations.

(7) No appeal shall lie under section 53B against any order passed by the Commission under this section.

Revocation of the settlement or commitment order and penalty.

48C. If an applicant fails to comply with the order passed under section 48A or section 48B or it comes to the notice of the Commission that the applicant has not made full and true disclosure or there has been a material change in the facts, the order passed under section 48A or section 48B, as the case may be, shall stand revoked and withdrawn and such enterprise shall be liable to pay legal costs incurred by the Commission which may extend to rupees one crore and the Commission may restore or initiate the inquiry in respect of which the order under section 48A or section 48B was passed.'

Amendment of section 49.

**36.** In section 49 of the principal Act, in sub-section (3), after the words "competition advocacy", the words "or culture" shall be inserted.

Amendment of section 51.

**37.** In section 51 of the principal Act, in sub-section (1), after clause (d), the following clause shall be inserted, namely:—

"(e) all sums received by the Commission from such other sources as may be decided upon by the Government."

Amendment of section 53A.

**38.** In section 53A of the principal Act, in sub-section (1), in clause (a), for the words, brackets and figures "sub-sections (2) and (6) of section 26", the words, brackets, figures and letter "sub-section (6) of section 6, sub-sections (2), (2A), (6) and (9) of section 26" shall be substituted.

Amendment of section 53B.

**39.** In section 53B, in sub-section (2), after the proviso, the following proviso shall be inserted, namely:—

"Provided further that no appeal by a person, who is required to pay any amount in terms of an order of the Commission, shall be entertained by the Appellate Tribunal unless the appellant has deposited twenty-five per cent. of that amount in the manner as directed by the Appellate Tribunal."

Amendment of section 53N.

**40.** In section 53N of the principal Act,—

(a) in sub-section (1), for the words, brackets, figures and letter "under sub-section (2) of section 53Q of the Act, and to pass an order for the recovery of compensation from any enterprise for any loss or damage shown to have been suffered, by the Central Government or a State Government or a local authority or any enterprise or any person as a result of any contravention of the provisions of Chapter II, having been committed by enterprise", the words, brackets, figures and letters "under sub-section (2) of section 53Q or the orders of the Supreme Court in an appeal against the findings of the Appellate Tribunal under section 53T or an order for settlement passed under section 48A, and to pass an order for the recovery of compensation from any enterprise for any loss or damage shown to have been suffered, by the Central Government or a State Government or a local authority or any enterprise or any person as a result of any contravention of the provisions of Chapter II, having been committed by enterprise or as a result of order of settlement passed by the Commission" shall be substituted;

(b) in sub-section (2), after the words "findings of the Commission", the words "or Appellate Tribunal or the Supreme Court, or an order for settlement" shall be inserted;

(c) in the *Explanation*,—

(i) in clause (a), after the words, brackets, figures and letter "sub-section (1) of section 53A", the words, figures and letter "or the Supreme Court on appeal under section 53T" shall be inserted;

(ii) in clause (b), after the words "or the Appellate Tribunal", the words "or the Supreme Court," shall be inserted.

**41.** In section 53Q of the principal Act, for sub-section (1), the following sub-section shall be substituted, namely:—

Amendment  
of section  
53Q.

"(1) Without prejudice to the provisions of this Act, if any person contravenes, without any reasonable ground, any order of the Appellate Tribunal, he shall be liable for contempt proceeding under section 53U."

**42.** After section 59 of the principal Act, the following section shall be inserted, namely:—

Insertion of  
new section  
59A.

2 of 1974.

"59A. Notwithstanding anything contained in the Code of Criminal Procedure, 1973, any offence punishable under this Act, not being an offence punishable with imprisonment only or imprisonment and also with fine, may either before or after the institution of any proceeding, be compounded by the Appellate Tribunal or a court before which such proceeding is pending."

Compounding  
of certain  
offences.

**43.** In section 63 of the principal Act, in sub-section (2),—

Amendment  
of section 63.

(i) clause (a) shall be re-lettered as clause (ae) thereof, and before clause (ae) as so re-lettered, the following clauses shall be inserted, namely:—

"(a) the value of the assets or turnover of the enterprise acquired, taken control of, merged or amalgamated in India under clause (e) of section 5;

(ab) the percentage of voting rights higher than twenty-six per cent. under sub-clause (i) of clause (b) of the *Explanation* to section 5;

(ac) the criteria of combinations under sub-section (4) of section 6;

(ad) the criteria under sub-section (7) of section 6;"

(ii) after clause (mf), the following clause shall be inserted, namely:—

"(mg) the form of the publication of guidelines under sub-section (5) of section 64B;"

**44.** In section 64 of the principal Act, in sub-section (2),—

Amendment  
of section 64.

(i) for clause (c), the following clauses shall be substituted, namely:—

"(c) the manner of determination of substantial business operations in India under clause (d) of section 5;

(ca) the form and fee for notice for combination under sub-section (4) of section 6;

(cb) the time and manner for filing notice of acquisition under clause (a) of section 6A;

(cc) the manner and circumstance in which the acquirer may exercise the ownership or beneficial right or interest in shares or convertible securities including voting right and receipt of dividends or any other distributions as an exception under clause (b) of section 6A;"

(ii) after clause (f), the following clauses shall be inserted, namely:—

"(fa) other details to be indicated in the show-cause notice under sub-section (9) of section 26;

(fb) the manner of determining turnover or income under the *Explanation* to clause (b) of section 27;

(fc) the manner in which modification may be proposed by parties to the combination to the Commission under sub-section (2) of section 29A;"

(iii) after clause (g), the following clauses shall be inserted, namely:—

"(ga) the lesser penalty to be imposed on producer, seller, distributor, trader or service provider under sub-section (1) of section 46;

(gb) the manner and time for withdrawal of application for lesser penalty under sub-section (2) of section 46;

(gc) the lesser penalty to be imposed on producer, seller, distributor, trader or service provider under sub-section (4) of section 46;

(gd) the manner of determining income under clause (c) of *Explanation* to section 48;

(ge) the form of application and fee under sub-section (1), the time under sub-section (2), the terms and manner of implementations and monitoring under sub-section (3) and the procedure for conducting settlement proceedings under sub-section (6) of section 48A;

(gf) the form of application and fee under sub-section (1), the time under sub-section (2), the terms and manner of implementations and monitoring under sub-section (3) and the procedure for commitments offered under sub-section (6) of section 48B;

(gg) the other details to be published along with draft regulations and the period for inviting public comments under clause (a) of section 64A;".

Insertion of  
new sections  
64A and 64B.

**45.** After section 64 of the principal Act, the following sections shall be inserted, namely:—

Process of  
issuing  
regulations.

"64A. The Commission shall ensure transparency while making regulations under section 64, by—

(a) publishing draft regulations along with such other details as may be specified on its website and inviting public comments for a specified period prior to issuing regulations;

(b) publishing a general statement of its response to the public comments, not later than the date of notification of the regulations;

(c) periodically reviewing such regulations:

Provided that if the Commission is of the opinion that certain regulations are required to be made or existing regulations are required to be amended urgently in public interest or the subject matter of the regulation relates solely to the internal functioning of the Commission, it may make regulations or amend the existing regulations, as the case may be, without following the provisions stated in this section recording the reason, for doing so.

Commission  
to issue  
guidelines.

64B. (1) The Commission may publish guidelines on the provisions of this Act or the rules and regulations made thereunder either on a request made by a person or on its own motion.

(2) Guidelines issued under sub-section (1) shall not be construed as determination of any question of fact or law by the Commission, its Members or officers and shall not be binding on the Commission, its Members or officers.

(3) Without prejudice to anything contained in sub-section (1), the Commission shall publish guidelines as to the appropriate amount of any penalty for any contravention of provision of this Act.

(4) While imposing penalty under clause (b) of section 27 or under section 43A or section 48 for any contravention of provision of this Act, the Commission shall consider the guidelines under sub-section (3) and provide reasons in case of any divergence from such guidelines.

(5) The guidelines under sub-sections (1) and (3) shall be published in such form as may be prescribed."

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DR. REETA VASISHTA,  
*Secretary to the Govt. of India.*

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ  
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ  
(ಆರ್. ಶ್ರೀನಿವಾಸ)  
ಸಹಾಯಕ ಪ್ರಾರೋಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ  
ಸರ್ಕಾರದ ಉಪಕಾರ್ಯದರ್ಶಿ  
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು  
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

**PR-25**

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ  
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 07 ಕೇನಿಪು 2023

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 19.04.2023.

ದಿನಾಂಕ: 21.06.2022 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-  
Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Surrogacy (Regulation) Rules, 2022ರ  
Notification-GSR 460(E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು  
ಪ್ರಕಟಿಸಲಾಗಿದೆ,-



**MINISTRY OF HEALTH AND FAMILY WELFARE**

**(Department of Health Research)**

**NOTIFICATION**

New Delhi, the 21st June, 2022

**G.S.R. 460(E).**—In exercise of the powers conferred by section 50 of the Surrogacy (Regulation) Act, 2021 (47 of 2021), the Central Government hereby makes the following rules, namely: -

1. Short title and commencement.- (1) These rules may be called the Surrogacy (Regulation) Rules, 2022.  
(2) They shall come into force on the date of their publication in the Official Gazette.
2. Definitions.- In these rules, unless the context otherwise requires; -
  - (a) 'Act' means the Surrogacy (Regulation) Act, 2021 (47 of 2021);
  - (b) 'form' means a form appended to these rules;
  - (c) 'section' means a section of the Act;
  - (d) words and expressions used herein and not defined but defined in the Act shall have the meanings respectively assigned to them in the Act.
3. The requirement, and qualification for persons employed, at a registered surrogacy clinic.- (1) The minimum requirement of staff and their qualification for surrogacy clinic shall be as specified in Schedule I, Part 1.  
(2) The minimum requirement of equipment for surrogacy clinic shall conform to the requirement as specified in Schedule I, Part 2.
4. The manner of application for obtaining a certificate of recommendation by the Board shall be as specified in Form 1.
5. Insurance coverage.- (1) The intending woman or couple shall purchase a general health insurance coverage in favour of surrogate mother for a period of thirty six months from an insurance company or an agent recognized by the Insurance Regulatory and Development Authority established under the provisions of the Insurance Regulatory and Development Authority Act, (41 of 1999) for an amount which is sufficient enough to cover all expenses for all complications arising out of pregnancy and also covering post- partum delivery complications.

- (2) The intending couple/woman shall sign an affidavit to be sworn before a Metropolitan Magistrate or a Judicial Magistrate of the first-class giving guarantee as per clause (q) of sub section (1) of section 2 of the Surrogacy (Regulation) Act, (47 of 2021).
6. Number of attempts of surrogacy procedure.- The number of attempts of any surrogacy procedure on the surrogate mother shall not be more than three times.
  7. Consent of a surrogate mother.- The consent of a surrogate mother shall be as specified in Form 2.
  8. Number of embryos to be implanted in the uterus of the surrogate mother.- The gynaecologist shall transfer one embryo in the uterus of a surrogate mother during a treatment cycle:  
Provided that only in special circumstances up to three embryos may be transferred.
  9. Conditions under which the surrogate mother may be allowed for abortion.- The surrogate mother may be allowed for abortion during the process of surrogacy in accordance with the Medical Termination of Pregnancy Act, 1971 (34 of 1971).
  10. Form and manner for registration and fee for a surrogacy clinic.- (1) An application for registration for a surrogacy clinic shall be made by the surrogacy clinic which is carrying out procedures related to the Surrogacy, as provided in the Act to the appropriate authority in Form 3.  
(2) Every application for registration shall be accompanied by an application fee of rupees two lakhs for surrogacy clinic and the application fee once paid shall not be refunded:  
Provided that, if an application for registration of any surrogacy clinic is rejected by the appropriate authority, no fee shall be required to be paid on re-submission of the application by the applicant for the same clinic:  
Provided further that such establishment in the government run institutes need not pay for application.
  11. Period, manner and form for certificate of registration.- (1) The appropriate authority shall, after making such enquiry and after satisfying itself that the applicant has complied with all the requirements, shall grant a certificate of registration in Form 4 to the applicant.  
(2) A copy of the certificate of registration shall be displayed by the registered surrogacy clinic at a conspicuous place at its place of business.
  12. Appeal.- (1) The surrogacy clinic, or the intending woman, or couple may, within a period of thirty days from the date of receipt of the communication relating to order of rejection of application, suspension or cancellation of registration by the appropriate authority under section 13 and communication relating to rejection of the certificates under section 14, prefer an appeal against such order.  
(2) The form of appeal shall be as specified in Form 5.
  13. Manner in which the seizure of documents, records, objects, etc., shall be made and seizure list shall be prepared and delivered.- (1) Every surrogacy clinic shall allow the National Board or National Registry or State Board or Appropriate Authority or to any other person authorised in this behalf to inspect the place, equipment and records.  
(2) An inspection of an already registered clinic may be done without any notice, during the working hours of the clinic.  
(3) The authorities referred to in subsection (1) shall ensure that the entry and search procedure do not place at risk the gametes or embryos stored in the facility.
  14. Medical indications necessitating gestational surrogacy.- A woman may opt for surrogacy if; -
    - (a) she has no uterus or missing uterus or abnormal uterus (like hypoplastic uterus or intrauterine adhesions or thin endometrium or small uni-cornuate uterus, T-shaped uterus) or if the uterus is surgically removed due to any medical conditions such as gynaecological cancer;
    - (b) intended parent or woman who has repeatedly failed to conceive after multiple In vitro fertilization or Intracytoplasmic sperm injection attempts. (Recurrent implantation failure);

- (c) multiple pregnancy losses resulting from an unexplained medical reason. unexplained graft rejection due to exaggerated immune response;
- (d) any illness that makes it impossible for woman to carry a pregnancy to viability or pregnancy that is life threatening.

[F. No. U.11019/15/2022-HR(Pt.)]

GEETA NARAYAN, Jt. Secy.

## SCHEDULE 1

### Part 1

[See rules 3 (1)]

- (1) Staff of surrogacy clinics.- Surrogacy clinics shall have at least one gynaecologist, one anesthetist, one embryologist and one counselor. The clinic may employ additional staff by the Assisted Reproductive Technology Level 2 clinics; normally Director, Andrologist and shall appoint such staff as may be necessary to assist the clinic into day-to-day work.
- (2) Qualification for doctors and other staff in surrogacy clinics.- The qualification of staff in surrogacy clinics shall be as under:

- (a) Gynecologist: The gynecologist shall be a medical post-graduate in gynecology and obstetrics and should have record of performing 50 ovum pickup procedures and at least three years of working experience in an ART clinic under supervision of a trained ART specialist (In the case of gynecologists practicing ART or IVF and are working in ART clinics before the commencement of this Act a post graduate degree in gynecology and obstetrics with at least three years experience and record of 50 ovum pickup procedures shall be acceptable); or

A medical post-graduate in gynaecology and obstetrics with super specialist Doctorate of Medicine/Fellowship in reproductive medicine with experience not less than three years of working in an Assisted Reproductive Technology clinic.

- (b) Andrologist shall be a Master of Chirurgiae or Diplomate of National Board in urology with special training in diagnosing and treating male infertility.
- (c) Embryologist: (i) Postgraduate in clinical embryology (graduated with the full-time program with a minimum of four semesters) from a recognised university or institute with additional three years of human ART laboratory experience in handling human gametes and embryos;
- (ii) Ph.D. holder (full-time, Ph.D. project should be related to Clinical Embryology/assisted reproductive technology/fertility) from a recognised university or institute or with an additional one year of human ART laboratory experience in handling human gametes and embryos;
- (iii) Medical graduate (MBBS) or Veterinary graduate (BVSc) with a postgraduate degree in Clinical Embryology (full-time program) from a recognised university or institute with additional two years of ART laboratory experience in handling human gametes and embryos;
- (iv) Postgraduate in life sciences/Biotechnology with at least one year of on-site, full-time clinical embryology certified training in addition to four years experience in handling human gametes and embryos in a registered ART level 2 clinics.

As a one-time measure all embryologists working in Assisted Reproductive Technology or In vitro fertilization clinics before the commencement of the Act, with the following below mentioned qualifications and experience may be allowed to continue as embryologists. However, after the commencement of this Act, all clinics will hire Embryologists only with any of the above-mentioned four qualifications and experience criteria.

*Graduate in Life Sciences /biotechnology/ reproductive biology/ veterinary science with at least five years experience of working in a registered Assisted Reproductive Technology / In vitro fertilization clinic, who have performed at least 500 IVF lab procedures (including Intracytoplasmic sperm injection I and at least 100 cycles of cryopreservation of embryos).*

- (d) Counselor: A person who is a graduate in psychology or clinical psychology or nursing or life sciences from a recognised university or institute.
- (e) Anesthetist: Anesthetist shall be a medical postgraduate in Anesthesia from a recognised university or institute.
- (f) Director: The director should have a post-graduate degree in medical /life sciences/Management Sciences from a recognised university or institute.

## SCHEDULE 1

### Part 2

[see rule 3(2)]

1. Equipments: - Microscope:

- (a) Incubator (minimum 02 in number);
- (b) Laminar Airflow;
- (c) Sperm counting Chambers;
- (d) Centrifuge;
- (e) Refrigerator;
- (f) Equipment for cryopreservation;
- (g) Ovum aspiration pump;
- (h) Ultrasonography machine with transvaginal probe and needle guard;
- (i) Test tube warmer;
- (j) Anesthesia resuscitation trolley.

## FORM 1

[See rule 4]

**Application Form for Couple of Indian Origin/Intending woman for availing Surrogacy addressed to Board**

**I/ We (Details as given below) request for a certificate of recommendation for availing Surrogacy Services**

**1. Basic Information**

**1.1 Details of Intended Father:**

- 1. Name:
- 2. Surname:
- 3. Date of Birth:
- 4. Blood Group:
- 5. Age in years:
- 6. Sex: Male/ Female

7. Nationality:
8. Occupation:
9. Marital Status: Married/ Divorced /Widow.
10. Address: (Please give details of Address in India if available and the present foreign country of residence)
  - (i) Present:
  - (ii) Permanent
11. Telephone/Mob. No. (Details of number in India and the country of residence)
12. Email:
13. Social Security Number or Equivalent
14. Passport Number

**1.2 Details of the Intended Mother:**

1. Name:
2. Surname
3. Date of Birth:
4. Blood Group:
5. Age in years
6. Sex:                      Male                      Female
7. Nationality:
8. Occupation:
9. Marital Status: Married/ Divorced /Widow.
10. Address: (Please give details of Address in India if available and the present foreign country of residence)
  - (i) Present:
  - (ii) Permanent
11. Telephone/Mob. No. (Details of number in India and the country of residence)
12. Email:
13. Social Security Number or Equivalent
14. Passport Number

**1.3 Briefly describe the reason for availing surrogacy**

**Declaration**

I hereby declare that the above statements are true to the best of my knowledge and belief.

Date: .....

**Signature of the Intended father**

Place: .....

**Signature of the Intended Mother**

**Self attested Documents required for applying**

1. Proof of marriage / Marriage Certificate (If applicable)
2. Proof of age/ Birth certificate/10<sup>th</sup> certificate/ or any equivalent.

(Note: Certificate of essentiality is to be obtained from appropriate authority and Certificate of Medical Indication is to be obtained from the District Medical Board)

**FORM 2**

[See rule 7]

**Consent of the Surrogate Mother and  
Agreement for Surrogacy**

I, \_\_\_\_\_ (the woman), aged \_\_\_\_\_ Years (address) \_\_\_\_\_ (Aadhar Number), having \_\_\_\_\_ (Number of children) child/children \_\_\_\_\_ (age in years) of my own have agreed to act as a surrogate mother for Intending couple/intending woman Name \_\_\_\_\_ Husband Name \_\_\_\_\_ Wife/ \_\_\_\_\_ Intending woman Age \_\_\_\_\_ Husband Age \_\_\_\_\_ Wife/Intending woman \_\_\_\_\_ had a full discussion with Dr. \_\_\_\_\_ of the Surrogacy clinic on \_\_\_\_\_ in regard to the matter of my acting as a surrogate mother for the child/children of the above couple.

1. That I understand that the methods of treatment may include:
  - (a) stimulation of the genetic mother for follicular recruitment;
  - (b) the recovery of one or more oocytes from the genetic mother by ultrasound-guided oocyte recovery or by laparoscopy;
  - (c) the fertilization of the oocytes from the genetic mother with the sperm of her husband;
  - (d) the fertilization of a donor oocyte by the sperm of the husband;
  - (e) the maintenance and storage by cryopreservation of the embryo resulting from such fertilization until, in the view of the medical and scientific staff, it is ready for transfer;
  - (f) implantation of the embryo obtained through any of the above possibilities into my uterus, after the necessary treatment if any.
2. That I have been assured that the genetic mother and the genetic father have been screened for 'HIV' and hepatitis 'B' and 'C' and other sexually transmitted diseases before oocyte recovery and found to be seronegative for all these diseases. I have, however, been also informed that there is a small risk of the mother or the father becoming seropositive for Human immunodeficiency (HIV) during the window period.
3. That I consent to the above procedures and the administration of such drugs that may be necessary to assist in preparing my uterus for embryo transfer, and for support in the luteal phase.
4. That I understand and accept that there is no certainty that a pregnancy may result from these procedures.
5. That I understand and accept that the medical and scientific staff may give no assurance that any pregnancy will result in the delivery of a normal and living child or children.
6. That I am unrelated or related (relation) \_\_\_\_\_ to the couple (the would-be genetic parents).
7. That I have worked out medical and other expenses and conditions of the surrogacy with the couple in writing and an appropriately authenticated copy of the agreement has been filed with the clinic, which the clinic shall keep confidential. A General health insurance coverage in favor of the surrogate mother from an insurance company or an agent recognized by the Insurance Regulatory and Development Authority established under the Insurance Regulatory and Development Authority Act, 1999 (41 of 1999) has been purchased by the intending couple/woman.

8. That I agree to relinquish all my rights over the child and hand over the child/children to \_\_\_\_\_, or \_\_\_\_\_ and \_\_\_\_\_ in case of a intending couple, or to \_\_\_\_\_ in case of their separation during my pregnancy, or to the survivor in case of the death of one of them during pregnancy, or to ----- in case of death of both of them, or to ----- in case of guarantor intending couple/ woman, as soon as I am permitted to do so by the hospital or clinic or nursing home where the child or children are delivered.
9. That I have been provided with the written consent of all of those name(s) mentioned above.
10. That I undertake to inform the surrogacy clinic, \_\_\_\_\_, of the result of the pregnancy.
11. That I take no responsibility that the child or children delivered by me will be normal in all respects. I understand that the biological parent(s) of the child/ children has / have a legal obligation to accept the child or children that I deliver and that the child or children would have all the inheritance rights of a child or children of the biological parent(s) as per the prevailing law.
12. That I shall not be asked to go through sex determination tests for the child/ children during the pregnancy and that I have the full right to refuse such tests.
13. That I understand that I would have the right to terminate the pregnancy in case of any complication as advised by the doctors, under the provisions of the Medical Termination of Pregnancy Act, 1971 (34 of 1971).
14. That I certify that I have not born any child through surrogacy before.
15. That I have been tested for 'HIV', hepatitis 'B' and 'C' and shown to be seronegative for these viruses just before embryo transfer.
16. That I shall not have intercourse of any kind once the cycle preparation is initiated.
17. That I certify that (a) I have not had any drug intravenously administered into me through a shared syringe; and (b) I have not undergone blood transfusion in the last six months.
18. That I also declare that I shall not use drugs intravenously, or undergo blood transfusion excepting of blood obtained through a certified blood bank on medical advice.
19. That I undertake not to disclose the identity of the party seeking the surrogacy.
20. That In the case of the death or unavailability of the party seeking my help as the surrogate mother, I shall deliver the child/children to \_\_\_\_\_ or \_\_\_\_\_ in this order; I shall be provided, before the embryo transfer into me, a written agreement of the above persons that they shall be legally bound to accept the child or children in the case of the above-mentioned eventuality. (If applicable)

(Strike off if not applicable.)

#### **Endorsement by the Surrogacy Clinic**

I/we have personally explained to \_\_\_\_\_ and \_\_\_\_\_ the details and implications of his / her / their signing this consent / approval form, and made sure to the extent humanly possible that he / she / they understand these details and implications.

**Signed:**

**(Surrogate Mother)**

**Signature of Intending couple/Woman**

**Name, address and signature**

**of the Witness from the Surrogacy clinic**

**Name and signature of the Doctor**

**Name and address of the Surrogacy Clinic**

**Dated:**



**FORM 3****[See rule 10]****APPLICATION FORM****REGISTRATION OF A SURROGACY CLINIC**

Name of the Surrogacy clinic:

Address of the Surrogacy clinic:

State: \_\_\_\_\_ City: \_\_\_\_\_

Pin Code:

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Telephone No. (with STD Code) (Surrogacy clinic only):

Mobile No. of Surrogacy clinic

E-mail (Surrogacy clinic):

Website, if any

1. Status of your Surrogacy clinic:

1. Government 2. Private

Any other, please specify.....

2. Date of establishment of your Surrogacy clinic:

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3. Whether your Surrogacy clinic is registered under following Acts/Authorities (Please provide details) Yes / No

1. The Medical Termination of Pregnancy (MTP) Act, 1971 (44 of 1971)

2. The Pre-Conception and Pre-Natal Diagnostic Techniques (Prohibition of Sex Selection) Act, 1994 (57 of 1994)

4. Whether your Surrogacy clinic has Director

(1. Yes 2. No)

a) Name

b) Qualification

c) Registration No. if applicable

5. Details of staff

Post	Name	Qualification	Registration No. if applicable
Gynaecologist			
Anesthetist			
Clinical Embryologist			
Andrologist			
Counsellor			

6. List of equipments


7. Indicate which of the following procedures are being carried out at your Surrogacy clinic
1. Yes                                      2. No
- (a) Intra-uterine Insemination using Husband Semen (IUI-H)
- (b) Intra-uterine Insemination using Donor Semen (IUI-D)
- (c) *In vitro* Fertilization-Embryo Transfer (IVF-ET)
- (d) Intra-cytoplasmic Sperm Injection (ICSI)
- (e) Processing of semen
- (f) Storage of gametes (sperm and oocyte) and or embryos of patient
- (g) Pre-implantation Genetic Testing
- (h) Any other procedure, please specify.....
8. Any additional Information

## DECLARATION

I hereby declare that the entries in this form and the additional particulars (if any), furnished herewith are true to the best of my knowledge and belief.

Date:

**FORM 4**

**[See rule 11]**

## CERTIFICATE OF REGISTRATION

## Surrogacy Clinic

**(To be issued in duplicate)**

Certificate No.:

1. In exercise of the powers conferred under section 12 (1) of the Surrogacy (Regulation) Act, 2021 (47 of 2021), the Appropriate Authority ..... hereby grants registration to the Surrogacy Clinic named below for purposes of carrying out surrogacy or surrogacy procedures as per the aforesaid Act, for a period of .....years ending on .....
- (a) Name and address of the Surrogacy clinic:
- (b) Type of institution (Government / Private)
2. This registration is granted subject to the aforesaid Act and Rules there under and any contravention thereof shall result in suspension or cancellation of this certificate of registration before the expiry of the said period of three years.
3. Registration No. allotted
4. For renewed Certificate of Registration only: Period of validity of earlier Certificate of Registration from ..... To .....

**Signature, Name and Designation of  
the Appropriate Authority**

Date: .....

Place: .....

SEAL

Display one copy of this certificate at a conspicuous place at the place of business

\*Strike out whichever is not applicable or necessary

**FORM 5****[See rule 12]**

Appeal No./20.....Made against .....to the State Government /Central Government

In the matter of:

Name and Address of Appellant

Versus

Name and Address of the Authority Whose Order is Challenged Respondent

Most respectfully showeth:

The above-mentioned appellant appeals against the order passed by the..... concerned  
Appropriate Authority at .....(Name of place and address) against the appellant in  
(details of the case if any)

dated.....

and sets forth the following grounds of objection of the order appealed: -

1. Particulars of the order including number of orders, if any, against which the appeal is Preferred.
2. Brief facts of the case.
3. Findings of the Appropriate Authority challenged.
4. Grounds of appeal.
5. Copy of the order enclosed along with all the documents relied upon by the Appellant.
6. Any other information/documents in support of appeal

Prayer:

That the appellant, therefore prays for the reasons stated above the order under the appeal be set aside and  
quashed and order deemed just and proper may kindly be passed in favor of the appellant.

**Signature of the Appellant**

Place: .....

Date: .....

Verification

I, ..... do hereby verify that the contents of para .....to ..... are true and correct  
to the best of my knowledge and belief and no part is false and nothing material has been concealed therein.

**Signature of the Appellant**

## List of Documents

S. No.	Particulars	Page No.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ  
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ  
(ಆರ್. ಶ್ರೀನಿವಾಸ)  
ಸಹಾಯಕ ಪ್ರಾರೋಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ  
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ  
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು  
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

PR-26

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ  
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 08 ಕೇನಿಪು 2023

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 19.04.2023.

ದಿನಾಂಕ: 10.10.2022 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-  
Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Surrogacy (Regulation) Amendment Rules,  
2022ರ Notification-GSR 772(E) ಮತ್ತು ಸದರಿ ನಿಯಮಕ್ಕೆ ಸಂಬಂಧಿಸಿದ ದಿನಾಂಕ: 11.11.2022ರ  
ಭಾರತ ಸರ್ಕಾರದ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಪ್ರಕಟಿಸಲ್ಪಟ್ಟಿರುವ Corrigenda ಅನ್ನು ಸಾರ್ವಜನಿಕರ  
ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-

**MINISTRY OF HEALTH AND FAMILY WELFARE****(Department of Health Research)****NOTIFICATION**

New Delhi, the 10th October, 2022

**G.S.R. 772(E).**— In exercise of the powers conferred by section 50 of the Surrogacy (Regulation) Act, 2021 (47 of 2021), the Central Government hereby makes the following rules, further to amend the Surrogacy (Regulation) Rules, 2022, namely: -

1. (1) These rules may be called the Surrogacy (Regulation) Amendment Rules, 2022.  
(2) They shall come into force on the date of their publication in Official Gazette.
2. In the Surrogacy (Regulation) Rules, 2022 sub-rule (2) of Rule 5 shall be substituted as under:-  
(2) The intending couple/woman shall sign an affidavit to be sworn before a Metropolitan Magistrate or a Judicial Magistrate of First Class or an Executive Magistrate or a Notary Public giving guarantee as per the clause (q) of sub-section (1) of section 2 of the Surrogacy (Regulation) Act, 2021 (47 of 2021).

[F. No. U.11019/15/2022-HR]

GEETA NARAYAN, Jt. Secy.

**Note :** The Surrogacy (Regulation) Rules, 2022 was published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (i) vide G.S.R. 460 (E) dated 21st June, 2022.

**MINISTRY OF HEALTH AND FAMILY WELFARE**

**(Department of Health Research)**

**CORRIGENDA**

New Delhi, the 11th November, 2022

**G.S.R. 814(E).**—In the Hindi Version of the Notification of even No. dated 21<sup>st</sup> June, 2022 as Published in the Gazette of India Extraordinary, Part II, Section 3, Sub-section (i) on 21<sup>st</sup> June, 2022, on page no. 10 under Form 4 in para 2 line 2, the words five years may be read as three years.

[F. No. U.11019/15/2022-HR (Pt.)]

GEETA NARAYAN, Jt. Secy.

7484 GI/2022

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MANOJ KUMAR  
VERMA

Digital Signature (SARV)  
C=IN, O=GOVERNMENT OF INDIA,  
CN=MANOJ KUMAR VERMA  
Date: 2022.11.11 12:48:21+0530



ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ  
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ  
(ಆರ್. ಶ್ರೀನಿವಾಸ)  
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ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ  
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು  
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

**PR-27**

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ  
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 09 ಕೇನಿಪು 2023

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 19.04.2023.

ದಿನಾಂಕ: 14.03.2023 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-  
Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Surrogacy (Regulation) Amendment Rules,  
2023ರ Notification-GSR 179(E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ  
ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-

**MINISTRY OF HEALTH AND FAMILY WELFARE****(Department of Health Research)****NOTIFICATION**

New Delhi, the 14th March, 2023

**G.S.R.179(E).**—In exercise of the powers conferred by section 50 of the Surrogacy (Regulation) Act, 2021 (47 of 2021), the Central Government hereby makes the following rules, further to amend the Surrogacy (Regulation) Rules, 2022, namely:-

1. (1) These rules may be called the Surrogacy (Regulation) Amendment Rules, 2023.

(2) They shall come into force on the date of their publication in Official Gazette.

2. In Form 2 under rule 7 of the Surrogacy (Regulation) Rules, 2022, the existing Para 1 (d) stands omitted and shall be substituted as under:-

1. (d) (I) Couple undergoing Surrogacy must have both gamete from the intending couple & donor gametes is not allowed;

(II) Single woman (widow/divorcee) undergoing Surrogacy must use self eggs and donor sperms to avail surrogacy procedure.

[F. No. U.11019/15/2022-HR]

GEETA NARAYAN, Jt. Secy.

**Note :** The Surrogacy (Regulation) Rules, 2022 were published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (i) vide G.S.R. 460 (E) dated 21st June, 2022 and the Surrogacy (Regulation) Amendment Rules, 2022 were published in the Gazette of India, Extraordinary, Part II, Section 3, sub-section (i) vide G.S.R. 772 (E) dated 10th October, 2022.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ  
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ  
(ಆರ್. ಶ್ರೀನಿವಾಸ)  
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ  
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ  
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು  
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

**PR-28**

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ  
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 10 ಕೇನಿಪ್ರ 2023

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 19.04.2023.

ದಿನಾಂಕ: 15.03.2023 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-  
Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Coinage (Issue of commemorative coin on  
the occasion of INTERNATIONAL YEAR OF MILLETS 2023) Rules, 2023ರ Notification-GSR  
189(E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-

**MINISTRY OF FINANCE**  
**(Department of Economics Affairs)**  
**NOTIFICATION**

New Delhi, the 15th March, 2023

**G.S.R. 189(E).**—In exercise of the powers conferred by clauses (d) and (e) of sub-section (2) of section 24 of the Coinage Act, 2011(11 of 2011), the Central Government hereby makes the following rules, namely: -

1. **Short title and commencement.**- (1) These rules may be called the Coinage (Issue of commemorative coin on the occasion of INTERNATIONAL YEAR OF MILLETS 2023) Rules, 2023.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. **Denomination of coin.**-The coin of Seventy Five Rupees denomination shall only be coined at the Mint for issue under the authority of the Central Government on the occasion of “INTERNATIONAL YEAR OF MILLETS 2023”.

3. **Dimension and composition of coin.**-The coin of the above denomination mentioned in rule 2 shall conform to the following dimensions and composition, namely: -

Denomination of the coin	Shape and outside diameter	Number of serrations	Metal composition
(1)	(2)	(3)	(4)
Seventy Five Rupees	Circular 44 millimeter	200	<b>Quaternary Alloy</b> Silver - 50 per cent. Copper - 40 per cent. Nickel - 05 per cent. Zinc - 05 per cent.

4. **Design.**-The design of the coin shall be as specified in the First Schedule of these rules.

5. **Standard weight and remedy allowed.**-The standard weight of the coin of above denomination coined to commemorate the occasion of INTERNATIONAL YEAR OF MILLETS 2023 and the remedy allowed in making of such coin shall be as specified in the Second Schedule to these rules.

**First Schedule**

(See Rule 4)

**SEVENTY FIVE RUPEES**

**OBVERSE:**

This face of the coin shall bear the Lion Capitol of Ashoka Pillar in the centre with the legend “सत्यमेव जयते” inscribed below, flanked on the left periphery with the word “भारत” in Devnagri script and on the right periphery with the word “INDIA” in English. It shall also bear the Rupee symbol “₹” and denominational value “75” in the international numerals below the Lion Capitol.

**REVERSE:**

This face of coin shall bear the image of logo of International year of Millets 2023 in the centre of the coin. The inscription “अंतर्राष्ट्रीय श्री अन्न वर्ष” in devnagari script shall be written on the upper periphery. The design symbolizing chain of millets is depicted on the lower periphery of the coin. The year “2023” in international numeral shall be written below the image of logo of International year of Millets 2023.

**Second Schedule****(See Rule 5)**

Denomination of the coin	Standard weight	Remedy allowed	
		In composition	In standard weight
(1)	(2)	(3)	(4)
Seventy Five Rupees	35 Grams	1/500 <sup>th</sup> plus or minus for Silver, that is to say, the Silver content may vary from 498 to 502 per 1000.	1/100 <sup>th</sup> plus or minus, that is to say, the weight could be 34.65 grams to 35.35 grams.

[F. No. 02/07/2023-Coin]

APARNA BHATIA, Adviser

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ  
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ  
(ಆರ್. ಶ್ರೀನಿವಾಸ)  
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ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ  
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು  
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

**PR-29**

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ  
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 11 ಕೇನಿಪು 2023

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 19.04.2023.

ದಿನಾಂಕ: 15.03.2023 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-  
Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Dried Figs Grading and Marking Rules,  
2023ರ Notification-GSR 190(E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ  
ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-

## MINISTRY OF AGRICULTURE AND FARMERS WELFARE

(Department of Agriculture and Farmers Welfare)

### NOTIFICATION

New Delhi, the 15th March, 2023

**G.S.R. 190(E).**—Whereas, the draft of the Dried Figs Grading and Marking Rules, 2023, was published under section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937) in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* number G.S.R.826 (E), dated the 18<sup>th</sup> November, 2022, inviting objections and suggestions from all persons likely to be affected thereby within forty-five days from the date on which copies of the said notification published in the Gazette of India, were made available to the public;

And whereas, the copies of the said notification were made available to the public on 18<sup>th</sup> November, 2022, and whereas, the objections and suggestions received from the stakeholders in respect of the said draft rules have been duly considered;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), the Central Government hereby makes the following rules, namely:-

1. **Short title, application and commencement.**-(1) These rules may be called the Dried Figs Grading and Marking Rules, 2023.
  - (2) They shall apply to whole dried figs obtained from ripe fruits of varieties (cultivars) of *Ficus carica* L. intended for direct human consumption.
  - (3) They shall come into force on the date of their final publication in the Official Gazette.
2. **Definitions.** -(1) In these rules, unless the context otherwise requires,-
  - (a) "Agricultural Marketing Adviser" means the Agricultural Marketing Adviser to the Government of India;
  - (b) "authorised packer" means a person or a body of persons who has been granted a certificate of authorisation to grade and mark the dried figs in accordance with the grade standards and procedure provided under these rules and the general grading and marking rules, 1988;
  - (c) "certificate of authorisation" means a certificate issued under the provisions of the general grading and marking rules, 1988 authorising a person or a body of persons to grade and mark dried figs with the grade designation mark;
  - (d) "general grading and marking rules" means the general grading and marking rules, 1988, made under section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937);
  - (e) "grade designation mark" means "AGMARK Insignia" referred to in rule 3;
  - (f) "legal metrology (packaged commodities) rules" means the Legal Metrology (Packaged Commodities) Rules, 2011, made under the Legal Metrology Act, 2009 (1 of 2010); and
  - (g) "schedule" means a schedule appended to these rules.
  - (2) The words and expressions used in these rules and not defined but defined in the Agricultural Produce (Grading and Marking) Act, 1937 or the general grading and marking rules, 1988, shall have the same meaning as are assigned to them under the said act or the rules.
3. **Grade designation mark.**-The grade designation mark shall be consisting of the design of "AGMARK Insignia", as set out in Schedule-I, incorporating the certificate of authorisation number, the word "AGMARK", the name of commodity and its grade.
4. **Grade designations.**-The grade designations to indicate the quality of dried figs including the criteria for grade designation shall be as set out in Schedule-II.
5. **Quality.**-For the purpose of these rules, the quality of dried figs shall be as provided in Schedule-II.
6. **Method of packing.**-(1) Dried figs shall be packed in suitable packaging material in accordance with the provisions of the Food Safety and Standards (Packaging) Regulations, 2018, the Food Safety and Standards (Labeling and Display) Regulations, 2020 and Legal Metrology (Packaged Commodities) Rules, 2011.
  - (2) The graded material of small pack sizes of the same lot or batch and grade may be packed in a master container with complete details thereon along with the grade designation mark.
  - (3) Each package shall contain dried figs of the same type and of the same grade designation.
  - (4) Each package shall be properly and securely closed and sealed so as to disallow spilling.
7. **Method of marking.**-(1) The grade designation mark shall be securely affixed to or printed on each package in the manner approved by the Agricultural Marketing Adviser or an officer authorised by him under rule 11 of the general grading and marking rules.

- (2) In addition to the grade designation mark, following particulars shall be clearly and indelibly marked on each package, namely:-
- name of the commodity;
  - grade;
  - variety or trade name(optional);
  - lot or batch number;
  - date of packing;
  - crop year (optional);
  - net weight;
  - name and address of the authorised packer;
  - maximum retail price (inclusive of all taxes);
  - BEST BEFORE \_\_\_\_\_MONTH \_\_\_\_\_YEAR; and
  - any other particulars as provided under the Legal Metrology (Packaged Commodities) Rules, 2011 or specified under the Food Safety and Standards (Packaging) Regulations, 2018 and the Food Safety and Standards (Labeling and Display) Regulations, 2020 or any notification issued under any other law for the time being in force or any instructions issued under the provisions of the Act, provided that right quality of ink is used for marking on packages.
- (3) The authorised packer may after obtaining prior approval of the Agricultural Marketing Adviser or an officer authorised by him under rule 11 of the general grading and marking rules, mark his private trade mark or trade brand on the graded packages provided the same do not indicate quality other than that indicated by the grade designation mark affixed to the graded packages in accordance with these rules.
8. The special conditions of certificate of authorisation.—(1) In addition to the conditions specified in sub-rule (8) of rule 3 of the general grading and marking rules, every authorised packer shall comply the conditions specified under these rules.
- The authorised packer shall either set up his own laboratory as per norms issued under rule 8 of the general grading and marking rules, or have access to an approved State grading laboratory or cooperative or association laboratory or a private commercial laboratory manned by a qualified chemist approved by the Agricultural Marketing Adviser under rule 9 of the general grading and marking rules, for testing the quality of dried figs.
  - The premises of the authorised packer shall be maintained in hygienic and sanitary conditions with proper ventilations and well lighted arrangement and the personnel engaged in these operations shall be in sound health and free from any infectious, contagious or communicable diseases.
  - The premises of the authorised packer shall have adequate storage facilities with pucca floor and free from dampness, any kind of cracks and crevices, rodent and insect infestation.
  - The authorised packer and the approved chemist shall observe all instructions regarding testing, grading, packing, marking, sealing and maintenance of records which may be issued by the Agricultural Marketing Adviser or an officer authorised by him in this behalf in accordance with the general grading and marking rules, from time to time.

## SCHEDULE-I

(See rule 3)

(Design of AGMARK Insignia)



Name of the Commodity-----

Grade-----



## SCHEDULE-II

(See rules 4 and 5)

## Grade designation and quality of dried figs

1. Dried figs are obtained by drying the substantially sound, reasonably mature or sufficiently developed or ripe fruits of the fig tree (*Ficus carica*) either by the process of sun-drying or using any other recognised methods of drying or dehydration and subsequent pressing.
2. Minimum requirements:-
  - (i) Dried figs shall,-
    - (a) be intact, the stem and the eye (ostiolum) ends of the fig may be removed;
    - (b) be sound, clean and wholesome and not affected by rotting or deterioration;
    - (c) have colour, flavor and odour characteristic of dried fig and possess texture characteristic of the product;
    - (d) be free of any visible foreign matter, however naturally crystallised sugar is not considered foreign matter or defect;
    - (e) be free from living pests and damage caused by pests, including the presence of dead insects or mites, their debris or excreta;
    - (f) be free from mould filaments visible to the naked eye;
    - (g) be free from any off flavor, foreign smell and/or taste, any artificial coloring matter, mustiness, rancidity or evidence of fermentation;
  - (ii) For domestic trade, it shall comply with the restrictions in regard to residual levels of metal contaminants, pesticides residues, microbial requirements, crop contaminants, naturally occurring toxic substances and other food safety requirements as specified under the Food Safety and Standards (Contaminants, Toxins and Residues) Regulations, 2011, the Food Safety and Standards (Food Product Standards and Food Additives) Regulations, 2011 and other regulations made for domestic trade under the Food Safety and Standards Act, 2006 (34 of 2006).
  - (iii) For export trade, it shall comply with the residual limits of heavy metals, pesticides and other food safety requirements as laid down by the Codex Alimentarius Commission or importing countries requirement for exports.
3. The criteria for grade designation and quality of dried figs:

TABLE

Grade designation	Limit of tolerance (maximum) (% by weight)					Dried figs that are distinctly different in colour among same variety or similar variety (% by count) (maximum)	Size (diameter in mm) (minimum)
	Moisture	Total ash content, (odb)	Ash insoluble in dilute HCl (odb)	Extraneous/Foreign matter	Damaged		
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Special	11.5	3.0	0.12	0.25	Nil	Nil	34.0
Standard	13.5	3.4	0.20	0.50	Nil	10.0	30.0
General	15.0	4.0	0.30	0.50	20.0	25.0	24.0

**Note:** odb: on dry basis; HCl: Hydrochloric acid

Explanation for the purpose of this Table: “Damaged” means dried figs which are damaged by pests or sunscald or split or torn or mechanical injury or excessively dried to such an extent which seriously affects the appearance, edibility and keeping quality of the product.

4. Other requirements:

- (i). The condition of the dried figs shall be so as to enable it to-
  - (a) withstand transport and handling; and
  - (b) arrive in satisfactory condition at the place of destination.
- (ii). Dried figs shall be stored in a cool and dry place and properly maintained in a clean and hygienic condition.

[F. No. Q-11047/09/Dried Figs/2022-Std.]

Dr. N. VIJAYA LAKSHMI, Jt. Secy. (Marketing)

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ  
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ  
(ಆರ್. ಶ್ರೀನಿವಾಸ)  
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ  
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ  
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು  
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

**PR-30**

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ  
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 12 ಕೇನಿಪು 2023

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 19.04.2023.

ದಿನಾಂಕ: 15.03.2023 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-  
Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Named Flours Grading and Marking Rules,  
2023ರ Notification-GSR 191(E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ  
ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-

**MINISTRY OF AGRICULTURE AND FARMERS WELFARE**

(Department of Agriculture and Farmers Welfare)

**NOTIFICATION**

New Delhi, the 15th March, 2023

**G.S.R.191(E)**—Whereas, the draft of the Named Flours Grading and Marking Rules, 2023, was published under section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937) in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), *vide* number G.S.R.824 (E), dated the 17<sup>th</sup> November, 2022, inviting objections and suggestions from all persons likely to be affected thereby within forty-five days from the date on which copies of the said notification published in the Gazette of India, were made available to the public;

And whereas, the copies of the said notification were made available to the public on 17<sup>th</sup> November, 2022, and whereas, the objections and suggestions received from the stakeholders in respect of the said draft rules have been duly considered;

Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), the Central Government hereby makes the following rules, namely:-

1. Short title, application and commencement. - (1) These rules may be called the Named Flours Grading and Marking Rules, 2023.

(2) They shall apply to the following commodities intended for direct human consumption:

- (i) whole maize flour;
- (ii) rice flour;
- (iii) barley flour;
- (iv) urad flour;
- (v) water chestnut or singhara flour;
- (vi) full fat soya flour; and
- (vii) ragi flour

(3) They shall come into force on the date of their final publication in the Official Gazette.

**2. Definitions.** -(1) In these rules, unless the context otherwise requires,-

- (a) "Agricultural Marketing Adviser" means the Agricultural Marketing Adviser to the Government of India;
- (b) "authorised packer" means a person or a body of persons who has been granted a certificate of authorisation to grade and mark the named flours in accordance with the grade standards and procedure provided under these rules and the general grading and marking rules, 1988;
- (c) "certificate of authorisation" means a certificate issued under the provisions of the general grading and marking rules, 1988 authorising a person or a body of persons to grade and mark the named flours with the grade designation mark;
- (d) "general grading and marking rules" means the general grading and marking rules, 1988, made under section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937);
- (e) "grade designation mark" means "AGMARK Insignia" referred to in rule 3;
- (f) "legal metrology (packaged commodities) rules" means the Legal Metrology (Packaged Commodities) Rules, 2011, made under the Legal Metrology Act, 2009 (1 of 2010); and
- (g) "schedule" means a schedule appended to these rules.

(2) The words and expressions used in these rules and not defined but defined in the Agricultural Produce (Grading and Marking) Act, 1937 or the general grading and marking rules, 1988, shall have the same meaning as are assigned to them under the said act or the rules.

3. Grade designation mark. - The grade designation mark shall be consisting of the design of "AGMARK Insignia", as set out in Schedule-I, incorporating the certificate of authorisation number, the word "AGMARK", the name of commodity and its grade.
4. Grade designations. - The grade designations to indicate the quality of named flours including the criteria for grade designation shall be as set out in Schedules-II to VIII.

5. Quality. -For the purpose of these rules, the quality of named flours shall be as provided in Schedules-II to VIII.
6. Method of packing. -(1) Named flours shall be packed in suitable packaging material in accordance with the provisions of the Food Safety and Standards (Packaging) Regulations, 2018, the Food Safety and Standards (Labeling and Display) Regulations, 2020 and Legal Metrology (Packaged Commodities) Rules, 2011.
  - (2) The graded material of small pack sizes of the same lot or batch and grade may be packed in a master container with complete details thereon along with the grade designation mark.
  - (3) Each package shall contain named flours of the same type and of the same grade designation.
  - (4) Each package shall be properly and securely closed and sealed so as to disallow spilling.
7. Method of marking.- (1) The grade designation mark shall be securely affixed to or printed on each package in the manner approved by the Agricultural Marketing Adviser or an officer authorised by him under rule 11 of the general grading and marking rules.
  - (2) In addition to the grade designation mark, following particulars shall be clearly and indelibly marked on each package, namely:-
    - (a) name of the commodity;
    - (b) grade;
    - (c) variety or trade name(optional);
    - (d) lot or batch number;
    - (e) date of packing;
    - (f) crop year (optional);
    - (g) net weight;
    - (h) name and address of the authorised packer;
    - (i) maximum retail price (inclusive of all taxes);
    - (j) BEST BEFORE \_\_\_\_\_MONTH \_\_\_\_\_YEAR; and
    - (k) any other particulars as provided under the Legal Metrology (Packaged Commodities) Rules, 2011 or specified under the Food Safety and Standards (Packaging) Regulations, 2018 and the Food Safety and Standards (Labeling and Display) Regulations, 2020 or any notification issued under any other law for the time being in force or any instructions issued under the provisions of the Act, provided that right quality of ink is used for marking on packages.
  - (3) The authorised packer may after obtaining prior approval of the Agricultural Marketing Adviser or an officer authorised by him under rule 11 of the general grading and marking rules, mark his private trade mark or trade brand on the graded packages provided the same do not indicate quality other than that indicated by the grade designation mark affixed to the graded packages in accordance with these rules.
8. The special conditions of certificate of authorisation.-(1) In addition to the conditions specified in sub-rule (8) of rule 3 of the general grading and marking rules, every authorised packer shall comply the conditions specified under these rules.
  - (2) The authorised packer shall either set up his own laboratory as per norms issued under rule 8 of the general grading and marking rules, or have access to an approved State grading laboratory or cooperative or association laboratory or a private commercial laboratory manned by a qualified chemist approved by the Agricultural Marketing Adviser under rule 9 of the general grading and marking rules, for testing the quality of the named flours.
  - (3) The premises of the authorised packer shall be maintained in hygienic and sanitary conditions with proper ventilations and well lighted arrangement and the personnel engaged in these operations shall be in sound health and free from any infectious, contagious or communicable diseases.
  - (4) The premises of the authorised packer shall have adequate storage facilities with pucca floor and free from dampness, any kind of cracks and crevices, rodent and insect infestation.
  - (5) The authorised packer and the approved chemist shall observe all instructions regarding testing, grading, packing, marking, sealing and maintenance of records which may be issued by the Agricultural Marketing Adviser or an officer authorised by him in this behalf in accordance with the general grading and marking rules, from time to time.

SCHEDULE-I  
(See rule 3)  
(Design of AGMARK Insignia)



Name of the Commodity-----  
Grade-----

SCHEDULE-II

(See rules 4 and 5)

Grade designation and quality of whole maize flour

1. The whole maize flour is prepared from fully mature, sound, clean, un-germinated, whole kernels of maize, *Zea mays* L., by a grinding process in which the entire grain is comminuted to a suitable degree of fineness.
2. Minimum requirements:-  
Whole maize flour shall, –
  - (a) be in the form of powder having a characteristic color, taste and flavor of the variety of maize;
  - (b) be free from extraneous matter such as stones, dirt, clay etc.;
  - (c) be free from any foreign taste, odour and evidence of fermentation;
  - (d) be free from filth (impurities of animal origin) such as rodent hair and excreta, live and dead insects, insect fragments, moulds and fungus;
3. The criteria for grade designation and quality of whole maize flour:

**Table 1**

Grade designation	Limit of tolerance (% by weight, maximum)					Limit of tolerance (% by weight, minimum)		
	Moisture	Total ash content, (odb)	Ash insoluble in dilute HCl (odb)	Crude Fibre (odb)	Alcoholic acidity (as H <sub>2</sub> SO <sub>4</sub> ) with 90% alcohol	Total Protein (N×6.25) (odb)	Fat (odb)	Sieve test passing through 500 micron sieve
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Special	8.0	1.25	0.05	1.6	0.10	8.0	3.5	98
Standard	11.0	1.75	0.20	2.0	0.20		3.1	98
General	12.0	2.25	0.30	2.8	0.30		3.1	94

**Note:** odb: on dry basis; H<sub>2</sub>SO<sub>4</sub>: Sulphuric acid; HCl: Hydrochloric acid

SCHEDULE-III

(See rules 4 and 5)

Grade designation and quality of rice flour

1. The rice flour is the powder obtained from grinding milled rice of the variety *Oryza sativa* L.

## 2. Minimum requirements:-

Rice flour shall, –

- have color, taste and flavor characteristic of the milled rice;
- be free from extraneous matter such as stones, dirt, clay etc.;
- be free from any abnormal flavor, rancid or other objectionable taste and musty or other undesirable odour;
- be free from filth (impurities of animal origin) such as rodent hair and excreta, live and dead insects, insect fragments, moulds and fungus;

## 3. The criteria for grade designation and quality of rice flour:

**Table 2**

Grade designation	Limit of tolerance (% by weight, maximum)					Limit of tolerance (% by weight, minimum)		
	Moisture	Total ash content, (odb)	Ash insoluble in dilute HCl (odb)	Crude Fibre, (odb)	Alcoholic acidity (as H <sub>2</sub> SO <sub>4</sub> ) with 90% alcohol	Total Protein (N×6.25) (odb)	Fat (odb)	Sieve test passing through 500 micron sieve
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Special	9.0	0.6	0.05	0.4	0.10	8.0	0.75	99
Standard	11.0	0.8	0.10	1.0	0.15	6.0	0.50	
General	12.0	1.8	0.40	1.8	0.20	5.0	0.50	

**Note:** odb: on dry basis; H<sub>2</sub>SO<sub>4</sub>: Sulphuric acid; HCl: Hydrochloric acid

## SCHEDULE-IV

(See rules 4 and 5)

## Grade designation and quality of barley flour

- The wholemeal barley powder or barley flour is the product obtained by grinding clean and sound dehusked barley (*Hordeum vulgare* or *Hordeum distichon*) grains.

## 2. Minimum requirements:-

Barley flour shall, –

- be uniform in color and characteristic to the variety from which obtained;
- be free from extraneous matter such as stones, dirt, clay etc.;
- be free from fermented, musty or other objectionable taste and odor;
- be free from filth (impurities of animal origin) such as rodent hair and excreta, live and dead insects, insect fragments, moulds and fungus;

## 3. The criteria for grade designation and quality of barley flour:

**Table 3**

Grade designation	Limit of tolerance (% by weight, maximum)					Limit of tolerance (% by weight, minimum)		
	Moisture	Total ash content, (odb)	Ash insoluble in dilute HCL (odb)	Crude Fibre (odb)	Alcoholic acidity (as H <sub>2</sub> SO <sub>4</sub> ) with 90% alcohol	Total Protein (N×6.25) (odb)	Fat (odb)	Sieve test passing through 500 micron sieve
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Special	9.0	1.5	0.10	2.0	0.10	8.5	1.5	98

Standard	11.0	2.0	0.30	3.0	0.15	7.0	1.0	96
General	13.0	2.5	0.50	5.0	0.17	6.0	0.5	94

**Note:** odb: on dry basis; H<sub>2</sub>SO<sub>4</sub>: Sulphuric acid; HCl: Hydrochloric acid

#### SCHEDULE-V

(See rules 4 and 5)

#### Grade designation and quality of urad flour

1. The black gram or urad flour is the product obtained by grinding clean and sound dehusked black gram (*Vigna mungo L.*) grains.
2. Minimum requirements:-  
Urad flour shall, –
  - (a) be uniform in color and characteristic to the variety from which obtained;
  - (b) be free from extraneous matter such as stones, dirt, clay etc.;
  - (c) be free from fermented, musty or other objectionable taste and odor;
  - (d) be free from filth (impurities of animal origin) such as rodent hair and excreta, live and dead insects, insect fragments, moulds and fungus;
3. The criteria for grade designation and quality of urad flour:

**Table 4**

Grade designation	Limit of tolerance (% by weight, maximum)					Limit of tolerance (% by weight, minimum)		
	Moisture	Total ash content, (odb)	Ash insoluble in dilute HCl (odb)	Crude Fibre (odb)	Alcoholic acidity (as H <sub>2</sub> SO <sub>4</sub> ) with 90% alcohol	Total Protein (N×6.25) (odb)	Fat (odb)	Sieve test passing through 500 micron sieve
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)
Special	9.5	3.50	0.12	1.00	0.20	24.0	2.00	100
Standard	10.5	3.75	0.20	2.00	0.20	22.0	1.50	98
General	11.0	4.00	0.30	2.50	0.30	20.0	1.50	98

**Note:** odb:: on dry basis; H<sub>2</sub>SO<sub>4</sub>: Sulphuric acid; HCl: Hydrochloric acid

#### SCHEDULE-VI

(See rules 4 and 5)

#### Grade designation and quality of singhara flour

1. The water chestnut or singhara flour is the product obtained by grinding clean, sound and dried nuts of *Trapa bispinosa* or *Trapa quadrispinosa* species commonly known as singhara.
2. Minimum requirements:-  
Singhara flour shall, –



- (a) be uniform in color and characteristic to the variety from which obtained;
- (b) be free from extraneous matter such as stones, dirt, clay etc.;
- (c) be free from rancid and objectionable taste and odor;
- (d) be free from filth (impurities of animal origin) such as rodent hair and excreta, live and dead insects, insect fragments, moulds and fungus;
- (e) be free from any added color and flavor;

3. The criteria for grade designation and quality of singhara flour:

**Table 5**

Grade designation	Limit of tolerance (% by weight, maximum)					Limit of tolerance (% by weight, minimum)			Uric acid content (mg/kg)
	Moisture	Total ash content, (odb)	Ash insoluble in dilute HCl (odb)	Crude Fibre (odb)	Alcoholic acidity (as H <sub>2</sub> SO <sub>4</sub> ) with 90% alcohol	Total Protein (N×6.25) (odb)	Fat (odb)	Sieve test passing through 500 micron sieve	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)
Special	10.0	2.2	0.10	1.50	0.10	9.0	1.00	99.0	50.0
Standard	12.0	2.6	0.50	3.00	0.15		0.50	97.0	
General	12.0	3.0	0.50	3.75	0.18		0.25	96.0	

**Note:** odb:: on dry basis; H<sub>2</sub>SO<sub>4</sub>: Sulphuric acid; HCl: Hydrochloric acid

#### SCHEDULE-VII

(See rules 4 and 5)

#### Grade designation and quality of full fat soya flour

1. The edible full fat soya flour is the product obtained from clean, sound soya beans by a process of cracking and dehulling followed by either cooking, drying and grinding or by extrusion cooking and grinding.
2. Minimum requirements:-  
Full fat soya flour shall, –
  - (a) be in the form of coarse or fine powder or grits;
  - (b) be uniform in color and characteristic to the variety from which obtained;
  - (c) be free from extraneous matter such as stones, dirt, clay etc.;
  - (d) be free from fermented musty or other objectionable taste and odor;
  - (e) be free from filth (impurities of animal origin) such as rodent hair and excreta, live and dead insects, insect fragments, moulds and fungus;
  - (f) be free from any added color and flavor

3. The criteria for grade designation and quality of full fat soya flour:

Table 6

Grade designation	Limit of tolerance (% by weight, maximum)				Limit of tolerance (% by weight, minimum)			Acid value of extracted fat (as oleic acid) (max.)	Trypsin inhibitor activity (% of the original)(max.)	Urease activity (change in pH unit)
	Moisture	Total ash content, (odb)	Ash insoluble in dilute HCl (odb)	Crude Fibre (odb)	Total Protein (N×6.25) (odb)	Fat (odb)	Sieve test passing through 500 micron sieve			
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Special	8.0	5.0	0.20	5.0	45.0	22.0	100	2.0	75	Nil
Standard	9.0	6.0	0.35		41.0	16.5	95.0	3.0		
General	9.0	7.2	0.35		39.0	16.5	85.0	5.0		

**Note:** odb: on dry basis; HCl: Hydrochloric acid

## SCHEDULE-VIII

(See rules 4 and 5)

## Grade designation and quality of ragi flour

- The ragi flour is the product obtained from dried mature grains of *Eleusine coracana* (L.) Gaertner through a process of milling.
- Minimum requirements:-  
Ragi flour shall, –
  - be uniform in color and characteristic to the variety from which obtained;
  - be free from extraneous matter such as sand, stones, dirt, clay etc.;
  - be free from fermented musty or other objectionable taste and odor;
  - be free from filth (impurities of animal origin) such as rodent hair and excreta, live and dead insects, insect fragments, moulds and fungus;
  - be free from any added color and flavor
- The criteria for grade designation and quality of ragi flour:

Table 7

Grade designation	Limit of tolerance (maximum) (% by wt.)					Limit of tolerance (% by weight, minimum)				Uric acid content (mg/kg) (max.)
	Moisture	Total ash content (odb)	Ash insoluble in dilute HCl (odb)	Crude Fibre (odb)	Alcoholic acidity (as H <sub>2</sub> SO <sub>4</sub> ) with 90% alcohol (odb)	Total Protein (N×6.25) (odb)	Fat (odb)	Calcium as CaO (odb)	Sieve test passing through 500 micron sieve	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)	(9)	(10)	(11)
Special	10.0	2.40	0.10	2.0	0.20	8.5	3.0	0.35	99.0	50.0
Standard	10.0	2.50	0.15	3.0	0.30	7.5	2.0	0.25	99.0	
General	10.0	2.60	0.15	4.0	0.40	7.0	1.5	0.20	98.0	

**Note:** odb: on dry basis; H<sub>2</sub>SO<sub>4</sub>: Sulphuric acid; HCl: Hydrochloric acid, CaO: Calcium oxide

## 4. Other requirements:

- (1) For domestic trade, it shall comply with the restrictions in regard to residual levels of metal contaminants, pesticides residues, microbial requirements, crop contaminants, naturally occurring toxic substances and other food safety requirements as specified under the Food Safety and Standards (Contaminants, Toxins and Residues) Regulations, 2011, the Food Safety and Standards (Food Product Standards and Food Additives) Regulations, 2011 and other regulations made for domestic trade under the Food Safety and Standards Act, 2006 (34 of 2006).
- (2) For export trade, it shall comply with the residual limits of heavy metals, pesticides and other food safety requirements as laid down by the Codex Alimentarius Commission or importing countries requirement for exports.
- (3) (i) The condition of the named flours shall be so as to enable it to -
  - (a) withstand transport and handling; and
  - (b) arrive in satisfactory condition at the place of destination.
  - (ii) Named flours shall be stored in a cool and dry place and properly maintained in a clean and hygienic condition.

[F. No. Q-11047/08/Flour/2022-Std]

Dr. N. VIJAYA LAKSHMI, Jt. Secy.( Marketing)

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ  
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ  
(ಆರ್. ಶ್ರೀನಿವಾಸ)  
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ  
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ  
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು  
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

**PR-31**

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ  
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 13 ಕೇನಿಪು 2023

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 19.04.2023.

ದಿನಾಂಕ: 17.03.2023 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-  
Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Insecticides (Second Amendment) Rules,  
2023ರ Notification-GSR 211(E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ  
ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-

**MINISTRY OF AGRICULTURE AND FARMERS WELFARE****(Department of Agriculture and Farmers Welfare)****NOTIFICATION**

New Delhi, the 17th March, 2023

**G.S.R. 211(E).**—Whereas the draft rules further to amend the Insecticides Rules, 1971, was published, as required by section 36 of the Insecticides Act, 1968 (46 of 1968) *vide* notification of the Government of India in the Ministry of Agriculture and Farmers Welfare (Department of Agriculture and Farmers Welfare) number G.S.R. 806 (E), dated the 27<sup>th</sup> October, 2022, in the Gazette of India, Extraordinary, Part-II, section-3, sub-section (i), inviting objections or suggestions from all persons likely to be affected thereby, before the expiry of a period of thirty days from the date on which the copies of the Gazette of India in which the said notification was published were made available to the public;

And whereas, copies of the said notification were made available to the public on 07<sup>th</sup> November, 2022;

And whereas, objections or suggestions received from the public in respect of the said draft rules have been considered by the Central Government;

Now, therefore, in exercise of the powers conferred by section 36 of the Insecticides Act, 1968 (46 of 1968), the Central Government hereby makes the following rules further to amend the Insecticides Rules, 1971, namely :-

**1. Short title and commencement:** (1) These Rules may be called the Insecticides (Second Amendment) Rules, 2023.

(2) They shall come into force on the date of their publication in the Official Gazette.

2. In the Insecticides rules, 1971 (hereinafter referred as the said rules), in sub-rule (1) of rule 19,-

(a) in clause (i),-

(i) the words “unless stated otherwise” shall be omitted.

(ii) in sub-clause (a) , for the bracket and words “(The Brand name shall not be of bigger size than 1.5 times size of common name)” the words “Equal prominence shall be given to the Brand name and Common name” shall be substituted.

(iii) in sub-clause (w) , after the first proviso, following proviso shall be inserted:

“Provided that QR Code shall be placed on retail pack (Primary or Secondary pack as the case may be) at suitable place where on scanning the QR code by scanning equipment like mobile phone, a web link or link for opening the URL of the Manufacturing company will appear, which on pressing or clicking, will take the user to the entire unique information of label and leaflet and the QR code shall contain at least the following information:

(a) Unique Identifier or GTIN;

(b) Batch Number;

(c) Date of Manufacturing;

(d) Date of Expiry;

(e) Web link or URL.

(iv) in Note II, the following proviso shall be inserted, namely:-

“provided that the size of pictograms shall be half- square centimeter (0.5 cm x 0.5 cm) in respect of labels of ultra-small packs only”.

(b) in clause (ii), the word “unless stated otherwise” shall be omitted.

(c) in clause (iii), in sub-clause (a), the following proviso shall be inserted, namely:-

“Provided that for ultra-small packs, multiple primary packs may be packed in one secondary pack and the manufacturer shall ensure leaflet and QR code be securely attached with each primary pack before packing them in one secondary pack.”

3. In the said rules, after sub-rule (3), following proviso shall be inserted:

“Provided that for ultra-small packs, the dimensions of the said square shall be not less than 2.25 square centimeters (1.5cm x1.5 cm).”

4. After sub-rule (3), the following Explanation shall be inserted, namely:-

**Explanation:** For the purposes sub-rule (1) and sub-rule (3), it is hereby clarified that,-

(i) no registration certificate holder shall use a label or leaflet, which is not in accordance with the provisions of the Insecticides (Second Amendment) Rules, 2023, after a period of six months from the date of commencement of the Insecticides (Second Amendment) Rules, 2023.

(ii) no insecticides or its package bearing a label or leaflet, which is not in accordance with the provisions of the Insecticides (Second Amendment) Rules, 2023, shall be distributed, sold, exhibited for sale or stocked, after expiry of two years from the date of commencement of the Insecticides (Second Amendment) Rules, 2023 or its expiry date, whichever is earlier and this explanation shall cease to exist after expiry of the said period, unless otherwise directed.

[F. No. 13035/33/2019-PP-I]

ASHISH KUMAR SRIVASTAVA, Jt. Secy. (PP)

**Note :** The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i) *vide* number G.S.R. 1650(E), dated the 19<sup>th</sup> October, 1971 and amended *vide* number G.S.R. 140 (E) dated 28<sup>th</sup> February, 2023.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ  
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ  
(ಆರ್. ಶ್ರೀನಿವಾಸ)  
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ  
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ  
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು  
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

**PR-32**

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ  
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 14 ಕೇನಿಪು 2023

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 19.04.2023.

ದಿನಾಂಕ: 28.03.2023 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-  
Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Poha Grading and Marking Rules, 2023 ರ  
Notification-GSR 229(E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು  
ಪ್ರಕಟಿಸಲಾಗಿದೆ,-

**MINISTRY OF AGRICULTURE AND FARMERS WELFARE****(Department of Agriculture and Farmers Welfare)****NOTIFICATION**

New Delhi, the 28th March, 2023

**G.S.R. 229(E).**—Whereas, the draft of the Poha Grading and Marking Rules, 2023, was published under sub-section (1) of section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937) in the Gazette of India, Extraordinary, Part II, Section 3, sub-Section (i), *vide* number G.S.R.825 (E), dated the 18<sup>th</sup> November, 2022, inviting objections and suggestions from all persons likely to be affected thereby within forty-five days from the date on which copies of the said notification published in the Gazette of India, were made available to the public;

And whereas, the copies of the said notification were made available to the public on 18<sup>th</sup> November, 2022, and whereas, the objections and suggestions received from the stakeholders in respect of the said draft rules have been duly considered;

Now, therefore, in exercise of the powers conferred by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937), the Central Government hereby makes the following rules, namely:-

**1. Short title and commencement.** - (1) These rules may be called the Poha Grading and Marking Rules, 2023.

(2) They shall come into force on the date of their final publication in the Official Gazette.

**2. Application.**- They shall apply to Poha prepared from paddy (*Oryza sativa* L.), also known as flattened rice, rice flakes, beaten rice or chiwda.

**3. Definitions.** -(1) In these rules, unless the context otherwise requires,-

(a) "Act" means the Agricultural Produce (Grading and Marking) Act, 1937 (1 of 1937);

(b) "Agricultural Marketing Adviser" means the Agricultural Marketing Adviser to the Government of India;

(c) "authorised packer" means a person or a body of persons who has been granted a certificate of authorisation to grade and mark poha in accordance with the grade standards and procedure provided under these rules and the General Grading and Marking Rules, 1988;

(d) "certificate of authorisation" means a certificate issued under the provisions of the General Grading and Marking Rules, 1988, authorising a person or a body of persons to grade and mark poha with the grade designation mark;

(e) "General Grading and Marking Rules" means the General Grading and Marking Rules, 1988;

(f) "Grade Designation Mark" means "AGMARK Insignia" referred to in rule 3;

(g) "Legal Metrology (Packaged Commodities) Rules" means the Legal Metrology (Packaged Commodities) Rules, 2011; and

(h) "schedule" means a schedule appended to these rules.

(2) The words and expressions used and not defined in these rules but defined in the Agricultural Produce (Grading and Marking) Act, 1937 or the General Grading and Marking Rules, 1988, shall have the meanings respectively assigned to them in the said act and the rules.

**4. Grade Designation Mark.** - The Grade Designation Mark shall consist of the design of "AGMARK Insignia", as set out in Schedule-I and incorporating the certificate of authorisation number, the word "AGMARK", the name of commodity and its grade.

**5. Grade designations.** - The grade designations to indicate the quality of poha including the criteria for grade designation shall be as set out in Schedule-II.

**6. Quality.** -For the purpose of these rules, the quality of poha shall be as provided in Schedule-II.

**7. Method of packing.** - (1) The poha shall be packed in suitable packaging material in accordance with the provisions of the Food Safety and Standards (Packaging) Regulations, 2018 and the Food Safety and Standards (Labeling and Display) Regulations, 2020 and Legal Metrology (Packaged Commodities) Rules, 2011.



- (2) The graded material of small pack sizes of the same lot or batch and grade may be packed in a master container with complete details thereon along with the Grade Designation Mark.
- (3) Each package shall contain poha of the same type and of the same grade designation.
- (4) Each package shall be properly and securely closed and sealed so as to disallow spilling.
- 8. Method of marking.-** (1) The Grade Designation Mark shall be securely affixed to or printed on each package in the manner approved by the Agricultural Marketing Adviser or an officer authorised by him under rule 11 of the General Grading and Marking Rules, 1988.
- (2) In addition to the Grade Designation Mark, the following particulars shall be clearly and indelibly marked on each package, namely:-
- (a) name of the commodity;
  - (b) grade;
  - (c) variety or trade name (optional);
  - (d) lot or batch number;
  - (e) date of packing;
  - (f) crop year (optional);
  - (g) net weight;
  - (h) name and address of the authorised packer;
  - (i) maximum retail price (inclusive of all taxes);
  - (j) BEST BEFORE \_\_\_\_\_MONTH \_\_\_\_\_YEAR; and
  - (k) any other particulars as provided under the Legal Metrology (Packaged Commodities) Rules, 2011 or specified under the Food Safety and Standards (Packaging) Regulations, 2018 and the Food Safety and Standards (Labeling and Display) Regulations, 2020 or any notification issued under any other law for the time being in force or any instructions issued under the provisions of the Act: provided that right quality of ink is used for marking on packages.
- (3) The authorised packer shall after obtaining prior approval of the Agricultural Marketing Adviser or an officer authorised by him under rule 11 of the General Grading and Marking Rules, 1988 mark his private trade mark or trade brand on the graded packages provided the same do not indicate quality other than that indicated by the Grade Designation Mark affixed to the graded packages in accordance with these rules.
- 9. Special conditions of certificate of authorisation.-**(1) In addition to the conditions specified in sub-rule (8) of rule 3 of the General Grading and Marking Rules, 1988, every authorised packer shall comply the conditions specified under these rules.
- (2) The authorised packer shall either set up his own laboratory as per norms issued under rule 8 of the General Grading and Marking Rules, 1988 or have access to an approved State grading laboratory or cooperative or association laboratory or a private commercial laboratory manned by a qualified chemist approved by the Agricultural Marketing Adviser or an officer authorised by him under rule 9 of the General Grading and Marking Rules, 1988 for testing the quality of poha.
  - (3) The premises of the authorised packer shall be maintained in hygienic and sanitary conditions with proper ventilations and well lighted arrangement and the personnel engaged in these operations shall be in sound health and free from any infectious, contagious or communicable diseases.
  - (4) The premises of the authorised packer shall have adequate storage facilities with pucca floor and free from dampness, any kind of cracks and crevices, rodent and insect infestation.
  - (5) The authorised packer and the approved chemist shall observe all instructions regarding testing, grading, packing, marking, sealing and maintenance of records which may be issued by the Agricultural Marketing Adviser or an officer authorised by him in this behalf in accordance with the General Grading and Marking Rules, 1988 from time to time.

**SCHEDULE-I**

(See rule 4)

(Design of AGMARK Insignia)



Name of the Commodity-----

Grade-----

**SCHEDULE-II**

(See rules 5 and 6)

Grade designation and quality of Poha

1. Poha is produced from paddy (*Oryza sativa L.*) by parboiling or soaking in hot water followed by drying, roasting, flaking or flattening with rollers, dehussing and sieving to remove all fine powder.
2. Minimum requirements.-
  - (i) Poha shall -
    - (a) have pleasant taste, flavor and uniform color characteristic of the variety from which obtained;
    - (b) be unstained and prepared from wholesome, sound paddy grains;
    - (c) be free from extraneous matter such as stones, dirt, clay, paddy, paddy husk, rodent hair and excreta, filth, moulds, fungus, live and dead insects and insect fragments and the like;
    - (d) be free from any foreign taste, odour, obnoxious smell and evidence of fermentation; and
    - (e) be free from artificial coloring, polishing agents, artificial fragrances and any other chemicals.
  - (ii) For domestic trade, it shall comply with the restrictions in regard to residual levels of metal contaminants, pesticide residues, microbial requirements, crop contaminants, naturally occurring toxic substances and other food safety requirements as provided under the Food Safety and Standards (Contaminants, Toxins and Residues) Regulations, 2011, the Food Safety and Standards (Food Product Standards and Food Additives) Regulations, 2011 and other regulations made for domestic trade under the Food Safety and Standards Act, 2006 (34 of 2006).
  - (iii) For export trade, it shall comply with the residual limits of heavy metals, pesticides and other food safety requirements as laid down by the Codex Alimentarius Commission or importing countries requirement for exports.
3. Criteria for grade designation of Poha.-

**TABLE**

Grade designation	Limit of tolerance (percent by weight) (Maximum)						Total Protein (% by weight)
	Moisture	Total ash content (odb)	Ash insoluble in dilute HCl (odb)	Crude Fibre (odb)	Alcoholic acidity (as H <sub>2</sub> SO <sub>4</sub> ) with 90% alcohol	Sieve test through IS sieve 2mm (%pass through)	
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
Special	11.0	1.25	0.15	0.5	0.15	0.50	8.0
Standard	12.0	1.50	0.25	1.5	0.25	1.50	7.0
General	13.0	2.00	0.40	2.0	0.30	2.50	6.0

Note: odb: on dry basis; H<sub>2</sub>SO<sub>4</sub>: Sulphuric acid; HCl: Hydrochloric acid

**4. Other requirements.-**

- (i). The condition of poha shall be so as to enable it to-
- (a) withstand transport and handling; and
  - (b) arrive in satisfactory condition at the place of destination.
- (ii). Poha shall be stored in a cool and dry place and properly maintained in a clean and hygienic condition.
- (iii). Poha may be classified to be of following categories based on the thickness of flakes and time taken to reconstitute in water at 30°C and for reconstitution in water at 30°C, the ratio maintained shall be 1:4 poha:water provided that the reconstituted poha shall not be pasty and shall be discrete in shape.

**TABLE**

Category	Thickness of flakes (mm) (maximum)	Time taken to reconstitute in water at 30°C (minutes)
Fine	0.5	5
Medium	0.7	10
Coarse	1.0	20

The category may be marked on the packages.

[F. No. Q-11047/08/Poha/2020-Std.]

Dr. N. VIJAYA LAKSHMI, Jt. Secy. (Marketing)

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ  
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ  
(ಆರ್. ಶ್ರೀನಿವಾಸ)  
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ  
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ  
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು  
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

**PR-33**

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ  
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 15 ಕೇನಿಪು 2023

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 19.04.2023.

ದಿನಾಂಕ: 31.03.2023 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-  
Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Companies (Indian Accounting Standards)  
Amendment Rules, 2023ರ Notification-GSR 242(E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ  
ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-

## MINISTRY OF CORPORATE AFFAIRS

### NOTIFICATION

New Delhi, the 31st March, 2023

**G.S.R. 242(E).** — In exercise of the powers conferred by section 133 read with section 469 of the Companies Act, 2013 (18 of 2013), the Central Government, in consultation with the National Financial Reporting Authority, hereby makes the following rules further to amend the Companies (Indian Accounting Standards) Rules, 2015, namely:-

1. Short title and commencement.-(1) These rules may be called the Companies (Indian Accounting Standards) Amendment Rules, 2023.

(2) They shall come into force with effect from 1st day of April, 2023.

2. In the Companies (Indian Accounting Standards) Rules, 2015, in the "Annexure", under the heading "B. Indian Accounting Standards (Ind AS)",-

(A) in Indian Accounting Standard (Ind AS) 101, -

(i) after paragraph 39AG, the following shall be inserted, namely:-

"39AH *Deferred Tax related to Assets and Liabilities arising from a Single Transaction*, amended paragraph B1 and added paragraph B14. An entity shall apply these amendments for annual reporting periods beginning on or after 1 April 2023.";

(ii) in Appendix B,

(a) in paragraph B1, for items (f) and (g), the following shall be substituted, namely:-

"(f) embedded derivatives (paragraph B9);

(g) government loans (paragraphs B10–B12);

(h) [Refer Appendix 1]; and

(i) deferred tax related to leases and decommissioning, restoration and similar liabilities (paragraph B14).";

(b) after paragraph B12, the following paragraphs shall be inserted, namely:-

“B13 [Refer Appendix 1]

**Deferred tax related to leases and decommissioning, restoration and similar liabilities**

B14 Paragraphs 15 and 24 of Ind AS 12, *Income Taxes* exempt an entity from recognising a deferred tax asset or liability in particular circumstances. Despite this exemption, at the date of transition to Ind ASs, a first-time adopter shall recognise a deferred tax asset—to the extent that it is probable that taxable profit will be available against which the deductible temporary difference can be utilised—and a deferred tax liability for all deductible and taxable temporary differences associated with:

- (a) right-of-use assets and lease liabilities; and
- (b) decommissioning, restoration and similar liabilities and the corresponding amounts recognised as part of the cost of the related asset.”;

(iii) in Appendix 1,

(a) in paragraph 7, item (ii) shall be omitted;

(b) after paragraph 14, the following paragraph shall be inserted, namely:-

“15. Paragraphs B1(h) and B13 of IFRS 1 related to exceptions to insurance contracts have not been included since these refer to amendments due to issuance of IFRS 17, *Insurance Contracts*, for which corresponding Ind AS has not been issued/notified. However, in order to maintain consistency with paragraph numbers of IFRS 1, the paragraph numbers are retained in Ind AS 101.”;

(B) in Indian Accounting Standard (Ind AS) 102, the footnote starting with the words “For example, in case” and ending with the words “not exercised”, appearing on the heading before paragraph 24 ‘*If the fair value of the equity instruments cannot be estimated reliably*’ shall be deleted and the same shall be added at the end of paragraph 23 at the words “equity to another”.

(C) in Indian Accounting Standard (Ind AS) 103, in Appendix C, in paragraph 13, for item (b), the following item shall be substituted, namely:-

“(b) the date on which the transferee obtains control of the transferor.”;

(D) in Indian Accounting Standard (Ind AS) 107, -

(i) for paragraph 21, the following paragraph shall be substituted, namely:-

“21 In accordance with paragraph 117 of Ind AS 1, *Presentation of Financial Statements*, an entity discloses material accounting policy information. Information about the measurement basis (or bases) for financial instruments used in preparing the financial statements is expected to be material accounting policy information.”;

(ii) after paragraph 44HH, the following paragraph shall be inserted, namely:-

“44II *Disclosure of Accounting Policies*, which amends Ind AS 1 amended paragraphs 21 and B5. An entity shall apply that amendment for annual reporting periods beginning on or after 1 April 2023.”;

(iii) in Appendix B, in paragraph B5,-

(a) for the opening paragraph, the following shall be substituted, namely:-

“Paragraph 21 requires disclosure of material accounting policy information, which is expected to include information about the measurement basis (or bases) for financial instruments used in preparing the financial statements. For financial instruments, such disclosure may include:”

(b) for the closing paragraph, the following shall be substituted, namely:-

“Paragraph 122 of Ind AS 1 also requires entities to disclose, along with material accounting policy information or other notes, the judgements, apart from those involving estimations, that management has made in the process of applying the entity’s accounting policies and that have the most significant effect on the amounts recognised in the financial statements.”;

(E) in Indian Accounting Standard (Ind AS) 109, in Appendix B, in paragraph B4.3.12, for item (b), the following item shall be substituted, namely:-

“(b) a combination of entities or businesses under common control as described in Appendix C of Ind AS 103; or”;

- (F) in Indian Accounting Standard (Ind AS) 115, in Appendix 1,-
- (i) in paragraph 2, for the words and figure “paragraph of 15”, the word and figure “paragraph 51” shall be substituted;
  - (ii) in paragraph 5, for the word and letter “Appendix D” the word and letter “Appendix B” shall be substituted.;
- (G) in Indian Accounting Standard (Ind AS) 1, -
- (i) in paragraph 7, before the definition of “*General purpose financial statements*”, the following shall be inserted, namely:-
 

**“Accounting policies are defined in paragraph 5 of Ind AS 8, *Accounting Policies, Changes in Accounting Estimates and Errors*, and the term is used in this Standard with the same meaning.”;**
  - (ii) in paragraph 10, in item (e), for the words “**significant accounting policies**”, the words “**material accounting policy information**”, shall be substituted.;
  - (iii) in paragraph 114, in item (c), for sub-item (ii), the following sub-item shall be substituted, namely:-
 

“(ii) material accounting policy information (see paragraph 117);”;
  - (iv) for paragraph 117, the following paragraph shall be substituted, namely:-
 

**“Disclosure of accounting policy information**

**117 An entity shall disclose material accounting policy information (see paragraph 7). Accounting policy information is material if, when considered together with other information included in an entity’s financial statements, it can reasonably be expected to influence decisions that the primary users of general purpose financial statements make on the basis of those financial statements. ”**
  - (v) after paragraph 117, the following shall be inserted, namely:-
 

“117A Accounting policy information that relates to immaterial transactions, other events or conditions is immaterial and need not be disclosed. Accounting policy information may nevertheless be material because of the nature of the related transactions, other events or conditions, even if the amounts are immaterial. However, not all accounting policy information relating to material transactions, other events or conditions is itself material.

117B Accounting policy information is expected to be material if users of an entity’s financial statements would need it to understand other material information in the financial statements. For example, an entity is likely to consider accounting policy information material to its financial statements if that information relates to material transactions, other events or conditions and:

    - (a) the entity changed its accounting policy during the reporting period and this change resulted in a material change to the information in the financial statements;
    - (b) the entity chose the accounting policy from one or more options permitted by Ind ASs;
    - (c) the accounting policy was developed in accordance with Ind AS 8 in the absence of an Ind AS that specifically applies;
    - (d) the accounting policy relates to an area for which an entity is required to make significant judgements or assumptions in applying an accounting policy, and the entity discloses those judgements or assumptions in accordance with paragraphs 122 and 125; or
    - (e) the accounting required for them is complex and users of the entity’s financial statements would otherwise not understand those material transactions, other events or conditions—such a situation could arise if an entity applies more than one Ind AS to a class of material transactions.

117C Accounting policy information that focuses on how an entity has applied the requirements of the Ind ASs to its own circumstances provides entity-specific information that is more useful to users of financial statements than standardised information, or information that only duplicates or summarises the requirements of the Ind ASs.

117D If an entity discloses immaterial accounting policy information, such information shall not obscure material accounting policy information.

117E An entity’s conclusion that accounting policy information is immaterial does not affect the related disclosure requirements set out in other Ind ASs.”;

- (vi) paragraphs 118, 119, 120 and 121 shall be omitted\*;
- (vii) for paragraph 122, the following paragraph shall be substituted, namely:-
- “122 An entity shall disclose, along with material accounting policy information or other notes, the judgements, apart from those involving estimations (see paragraph 125), that management has made in the process of applying the entity’s accounting policies and that have the most significant effect on the amounts recognised in the financial statements.”;**
- (viii) after paragraph 139T, the following shall be inserted, namely:-
- “139U [Refer Appendix 1]
- 139V *Disclosure of Accounting Policies*, amended paragraphs 7, 10, 114, 117 and 122, added paragraphs 117A–117E and deleted paragraphs 118, 119 and 121. An entity shall apply the amendments to Ind AS 1 for annual reporting periods beginning on or after 1 April 2023.”;
- (ix) in Appendix 1,-
- (a) in paragraph 6, for the item (x), the following item shall be substituted, namely:-
- “(x) paragraphs 118-121”
- (b) after paragraph 10, the following shall be inserted, namely:-
- “11. Paragraph 139U of IAS 1 related to effective date of Amendments to IAS 1: *Classification of Liabilities as Current or Non-current* has not been included in Ind AS 1 as the corresponding amendments to Ind AS 1 have not been issued or notified. However, in order to maintain consistency with paragraph numbers of IAS 1, the paragraph number is retained in Ind AS 1.”;
- in Indian Accounting Standard (Ind AS) 8, -
- (i) in paragraph 5, for the definition of change in accounting estimate starting with the words “A change in” and ending with the words “corrections of errors”, the following shall be substituted, namely:-
- “Accounting estimates are monetary amounts in financial statements that are subject to measurement uncertainty.”;**
- (ii) for paragraph 32 and its heading, the following shall be substituted, namely:-
- “Accounting estimates**
- 
- 32 An accounting policy may require items in financial statements to be measured in a way that involves measurement uncertainty—that is, the accounting policy may require such items to be measured at monetary amounts that cannot be observed directly and must instead be estimated. In such a case, an entity develops an accounting estimate to achieve the objective set out by the accounting policy. Developing accounting estimates involves the use of judgements or assumptions based on the latest available, reliable information. Examples of accounting estimates include:
- (a) a loss allowance for expected credit losses, applying Ind AS 109, *Financial Instruments*;
- (b) the net realisable value of an item of inventory, applying Ind AS 2 *Inventories*;
- (c) the fair value of an asset or liability, applying Ind AS 113, *Fair Value Measurement*;
- (d) the depreciation expense for an item of property, plant and equipment, applying Ind AS 16; and
- (e) a provision for warranty obligations, applying Ind AS 37, *Provisions, Contingent Liabilities and Contingent Assets*.
- 32A An entity uses measurement techniques and inputs to develop an accounting estimate. Measurement techniques include estimation techniques (for example, techniques used to measure a loss allowance for expected credit losses applying Ind AS 109) and valuation techniques (for example, techniques used to measure the fair value of an asset or liability applying Ind AS 113).
- 32B The term ‘estimate’ in Ind AS sometimes refers to an estimate that is not an accounting estimate as defined in this Standard. For example, it sometimes refers to an input used in developing accounting estimates.”;
- (iii) for paragraph 34, the following shall be substituted, namely:-
- “Changes in accounting estimates**

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\* Refer Appendix 1



34 An entity may need to change an accounting estimate if changes occur in the circumstances on which the accounting estimate was based or as a result of new information, new developments or more experience. By its nature, a change in an accounting estimate does not relate to prior periods and is not the correction of an error.

34A The effects on an accounting estimate of a change in an input or a change in a measurement technique are changes in accounting estimates unless they result from the correction of prior period errors.”;

(iv) before paragraph 36, the following heading shall be inserted, namely:-

**“Applying changes in accounting estimates”;**

(v) for paragraph 38, the following shall be substituted, namely:-

“38 Prospective recognition of the effect of a change in an accounting estimate means that the change is applied to transactions, other events and conditions from the date of that change. A change in an accounting estimate may affect only the current period’s profit or loss, or the profit or loss of both the current period and future periods. For example, a change in a loss allowance for expected credit losses affects only the current period’s profit or loss and therefore is recognised in the current period. However, a change in the estimated useful life of, or the expected pattern of consumption of the future economic benefits embodied in, a depreciable asset affects depreciation expense for the current period and for each future period during the asset’s remaining useful life. In both cases, the effect of the change relating to the current period is recognised as income or expense in the current period. The effect, if any, on future periods is recognised as income or expense in those future periods.”;

(vi) for paragraph 48, the following paragraph shall be substituted, namely:-

“48 Corrections of errors are distinguished from changes in accounting estimates. Accounting estimates by their nature are approximations that may need changing as additional information becomes known. For example, the gain or loss recognised on the outcome of a contingency is not the correction of an error.”;

(vii) after paragraph 54H, the following paragraph shall be inserted, namely:-

“54I *Definition of Accounting Estimates*, amended paragraphs 5, 32, 34, 38 and 48 and added paragraphs 32A, 32B and 34A. An entity shall apply these amendments for annual reporting periods beginning on or after 1 April 2023. An entity shall apply the amendments to changes in accounting estimates and changes in accounting policies that occur on or after the beginning of the first annual reporting period in which it applies the amendments.”;

(I) in Indian Accounting Standard (Ind AS) 12, -

(i) in paragraph 15, in item (b),-

(a) in sub-item (i), the word “and” shall be omitted.;

(b) for sub-item (ii), the following shall be substituted, namely:-

**“(ii) at the time of the transaction, affects neither accounting profit nor taxable profit (tax loss); and**

**(iii) at the time of the transaction, does not give rise to equal taxable and deductible temporary differences.”;**

(ii) in paragraph 22, for items (b) and (c), the following items shall be substituted, namely:-

“(b) if the transaction affects either accounting profit or taxable profit, or gives rise to equal taxable and deductible temporary differences, an entity recognises any deferred tax liability or asset and recognises the resulting deferred tax expense or income in profit or loss (see paragraph 59);

(c) if the transaction is not a business combination, affects neither accounting profit nor taxable profit and does not give rise to equal taxable and deductible temporary differences, an entity would, in the absence of the exemption provided by paragraphs 15 and 24, recognise the resulting deferred tax liability or asset and adjust the carrying amount of the asset or liability by the same amount. Such adjustments would make the financial statements less transparent. Therefore, this Standard does not permit an entity to recognise the resulting deferred tax liability or asset, either on initial recognition or subsequently (see example below). Furthermore, an entity does not recognise subsequent changes in the unrecognised deferred tax liability or asset as the asset is depreciated.”;

(iii) after paragraph 22, the following paragraph shall be inserted, namely:-

- “22A A transaction that is not a business combination may lead to the initial recognition of an asset and a liability and, at the time of the transaction, affect neither accounting profit nor taxable profit. For example, at the commencement date of a lease, a lessee typically recognises a lease liability and the corresponding amount as part of the cost of a right-of-use asset. Depending on the applicable tax law, equal taxable and deductible temporary differences may arise on initial recognition of the asset and liability in such a transaction. The exemption provided by paragraphs 15 and 24 does not apply to such temporary differences and an entity recognises any resulting deferred tax liability and asset.”;
- (iv) in paragraph 24,-
- (a) in item (a), the word “and” shall be omitted.
- (b) for item (b), the following shall be substituted, namely:-
- “(b) at the time of the transaction, affects neither accounting profit nor taxable profit (tax loss); and**
- (c) at the time of the transaction, does not give rise to equal taxable and deductible temporary differences.”;**
- (v) after paragraph 98I, the following shall be inserted, namely:-
- “98J *Deferred Tax related to Assets and Liabilities arising from a Single Transaction*, amended paragraphs 15, 22 and 24 and added paragraph 22A. An entity shall apply these amendments in accordance with paragraphs 98K–98L for annual reporting periods beginning on or after 1 April 2023.
- 98K An entity shall apply *Deferred Tax related to Assets and Liabilities arising from a Single Transaction* to transactions that occur on or after the beginning of the earliest comparative period presented.
- 98L An entity applying *Deferred Tax related to Assets and Liabilities arising from a Single Transaction* shall also, at the beginning of the earliest comparative period presented:
- (a) recognise a deferred tax asset—to the extent that it is probable that taxable profit will be available against which the deductible temporary difference can be utilised—and a deferred tax liability for all deductible and taxable temporary differences associated with:
- (i) right-of-use assets and lease liabilities; and
- (ii) decommissioning, restoration and similar liabilities and the corresponding amounts recognised as part of the cost of the related asset; and
- (b) recognise the cumulative effect of initially applying the amendments as an adjustment to the opening balance of retained earnings (or other component of equity, as appropriate) at that date.”;
- (J) in Indian Accounting Standard (Ind AS) 34, -
- (i) in paragraph 5, in item (e), for the words “significant accounting policies”, the words “material accounting policy information” shall be substituted.;
- (ii) after paragraph 59, the following shall be inserted, namely:-
- “60 *Disclosure of Accounting Policies*, which amends Ind AS 1, amended paragraph 5. An entity shall apply that amendment for annual reporting periods beginning on or after 1 April 2023.”.

[F. No. 01/01/2009-CL-V (Part. XII)]

MANOJ PANDEY, Jt. Secy.

**Note :** The principal rules were published in the Gazette of India, Extraordinary, Part II, Section 3, Sub-section (i), vide number G.S.R. 111(E), dated the 16th February, 2015 and last amended vide notification number G.S.R. 255 (E), dated the 23<sup>rd</sup> March, 2022.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ  
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ  
(ಆರ್. ಶ್ರೀನಿವಾಸ)  
ಸಹಾಯಕ ಪ್ರಾರೋಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ  
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ  
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು  
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

**PR-34**

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ  
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 16 ಕೇನಿಪ್ರ 2023

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 19.04.2023.

ದಿನಾಂಕ: 05.04.2023 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-  
Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Surrogacy Regulations, 2023 ರ Notification-  
GSR 270(E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು  
ಪ್ರಕಟಿಸಲಾಗಿದೆ,-

## MINISTRY OF HEALTH AND FAMILY WELFARE

(Department of Health Research)

(NATIONAL ASSISTED REPRODUCTIVE TECHNOLOGY AND SURROGACY BOARD)

## NOTIFICATION

New Delhi, the 5th April, 2023

**G.S.R. 270(E).**—In exercise of the powers conferred by section 51 of the Surrogacy (Regulation) Act, 2021 (47 of 2021), the National Assisted Reproductive Technology and Surrogacy Board (National Board) hereby makes the following regulations, namely:-

**1. Short title and commencement.** – (1) These regulations may be called the Surrogacy Regulations, 2023.

(2) They shall come into force from the date of their publication in the Official Gazette.

**2. The fulfillment of other condition under which eligibility certificate to be issued by the appropriate authority under sub-clause (c) of clause (iii) of section 4.-** If the appropriate authority is of opinion that the eligibility condition for surrogacy other than those mentioned in the Act, the same may be sent to the National Board for consideration and approval before issuing the eligibility certificate.

**3. The time and place of the meeting of the National Board and the procedure to be followed for the transaction of business at such meeting and the number of Members which shall form the quorum under sub-section (1) of section 19.-** (1) The National Board shall meet at least once in six months and fifty percent of the members shall constitute the quorum.

(2) If there is no quorum at any meeting of the National Board, the meeting shall be adjourned and the business of such adjourned meeting shall be transacted in the meeting which may be scheduled after two hours, but not beyond seven days, irrespective of there being a quorum or not.

(3) The meeting of the National Board may conduct virtually or physically on such date, place and venue as decided by the Chairperson of the Board.

(4) (a) The Member Secretary of the National Board shall issue notice of every meeting of the National Board to every Member of the Board not less than fifteen days before the date of meeting.

(b) The Member Secretary shall issue, with the notice of the meeting an agenda emphasising the business to be brought before the National Board in the scheduled meeting:

Provided that in exceptional circumstance, the Chairperson of the National Board may dispense with the requirement of notice before the specified period for meeting of the Board.

(5) A Member who desires to move any motion not included in the agenda so circulated by the Member Secretary of the National Board shall give notice for inclusion of the same at least seven days before the meeting.

**4. The manner in which a person may be temporarily associated with the National Board under sub-section (1) of section 22.-** The National Board may co-opt a person to attend any meeting, or to temporarily associate with the National Board as per the requirement.

**5. The time and place of the meetings of the State Board and the procedure to be followed for the transaction of business at such meetings and the number of Members which shall form the quorum under sub-section (1) of section 29.-** (1) The State Board shall meet at least once in six months and fifty percent of the members shall constitute the quorum.

(2) If there is no quorum at any meeting of the State Board, the meeting shall be adjourned and the business of such adjourned meeting shall be transacted in the meeting, which may be scheduled after two hours, but not beyond of seven days, irrespective of there being a quorum or not.

(3) The meeting of the State Board may conduct virtually or physically on such date, place and venue as decided by the Chairperson of the Board.

(4) (a) The Member Secretary of the State Board shall issue notice of every meeting of the State Board to every Member of the Board not less than fifteen days before the date of meeting.

(b) The Member Secretary shall issue, with the notice of the meeting an agenda containing the business to be brought before the State Board in the scheduled meeting:

Provided that in exceptional circumstance, the Chairperson of the State Board may dispense with the requirement of notice before the prescribed period for meeting of the Board.

(5) A Member who desires to move any motion not included in the agenda so circulated by the Member Secretary of the State Board, shall give notice for inclusion of the same at least seven days before the meeting.

**6. The manner in which a person may be temporarily associated with the State Board under sub-section (1) of section 32.-** The State Board may co-opt a person to attend any meeting or to temporarily associate with the State Board as per the requirement.

[F. No. U.11019/30/2022-HR(Part-I)]

GEETA NARAYAN, Jt. Secy.

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ  
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ  
(ಆರ್. ಶ್ರೀನಿವಾಸ)  
ಸಹಾಯಕ ಪ್ರಾರೋಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ  
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ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು  
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

**PR-35**

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ  
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 17 ಕೇನಿಪು 2023

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 19.04.2023.

ದಿನಾಂಕ: 05.04.2023 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-  
Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Central Reserve Police Force, Constable  
(General Duty), General Duty Cadre, Group 'C' Post, Recruitment Rules, 2023ರ Notification-  
GSR 271(E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು  
ಪ್ರಕಟಿಸಲಾಗಿದೆ,-

## MINISTRY OF HOME AFFAIRS

### NOTIFICATION

New Delhi, the 5th April, 2023

**G.S.R. 271(E)** —In exercise of the powers conferred by sub-section (1) of section 18 of the Central Reserve Police Force Act, 1949 (66 of 1949) and in supersession of the Central Reserve Police Force Group 'C' (General Duty/Technical/Tradesmen) Cadre Recruitment Rules, 2010 in so far as they relate to the post of (General Duty Cadre), Constable, except as respects things done or omitted to be done before such supersession, the Central Government hereby makes the following rules regulating the method of recruitment to the post of Constable (General Duty) in Group 'C' post, General Duty Cadre in the Central Reserve Police Force, namely:-

**1. Short title and commencement.-** (1) These rules may be called the Central Reserve Police Force, Constable (General Duty), General Duty Cadre, Group 'C' Post, Recruitment Rules, 2023.

(2) They shall come into force on the date of their publication in the Official Gazette.

**2. Number of post, classification and level in the pay matrix. -** The number of post, its classification and the level in the pay matrix attached thereto shall be as specified in columns (2) to (4) of the Schedule annexed to these rules.

**3. Method of recruitment, age-limit, qualifications, etc.-** The method of recruitment, age-limit, qualifications and other matters relating to the said post shall be as specified in columns (5) to (13) of the said Schedule.

**4. Maintenance.-** Every post remained unfilled and every vacancy that may arise thereafter shall be filled in accordance with the provisions as specified in the said Schedule and the procedure as may be prescribed by the Central Government from time to time.

**5. Seniority.-** Seniority shall be regulated in accordance with the Central Reserve Police Force Rules, 1955 and general instructions issued by the Central Government from time to time.

**6. Disqualification.-** No person,-

(a) who has entered into or contracted a marriage with a person having a spouse living; or

(b) who, having a spouse living, has entered into or contracted a marriage with any person,

shall be eligible for appointment to the said posts:

Provided that the Central Government may, if satisfied that such marriage is permissible under the personal law applicable to such person and the other party to the marriage and that there are other grounds for doing so, exempt any person from the operation of this rule.

**7. Ineligibility of non-citizens of India.**-No person who is not a citizen of India shall, except with the prior permission of the Central Government in writing, be appointed under these rules:

Provided that nothing contained in this rule shall debar the appointment or employment of a subject of Nepal or Bhutan in the Force.

**8. Superannuation.**- (1) Every person appointed under these rules shall retire from service on the afternoon of the last day of the month in which he or she attains the age of sixty years or as prescribed by the Central Government from time to time :

Provided that a person whose date of birth is on the first day of a month shall retire from service in the afternoon of the last day of the preceding month on attaining the age of sixty years.

(2) No person shall be granted extension in service beyond the prescribed age of retirement on superannuation.

**9. Power to relax.**- Where the Central Government is of the opinion that it is necessary or expedient to do so, it may, by order and for reasons to be recorded in writing, relax any of the provisions of these rules with respect to any class or category of persons.

**10. Saving.**- Nothing in these rules shall affect reservation, relaxation of age-limit and other concessions required to be provided for the Scheduled Castes, the Scheduled Tribes, Other Backward Classes, Ex-servicemen and others special categories of persons, in accordance with the orders issued by the Central Government from time to time in this regard.

**11. Interpretation.**- If any question relating to the interpretation of these rules arises, it shall be decided by the Central Government.

#### SCHEDULE

Name of post	Number of post	Classification	Level in the pay matrix	Selection post or non-selection post
(1)	(2)	(3)	(4)	(5)
Constable (General Duty)	*129929 (2023) (Male-125262 and Female-4667) *(Subject to variation dependent upon work load)	General Central Service, Group 'C', Non-Gazetted, (Non-Ministerial Combatant)	Level-3 (Rs. 21700- 69100/) in the pay matrix	Not applicable

#### Age-limit for direct recruits.

(6)

Between 18 and 23 years. (Five years age relaxation in case of Scheduled Castes or Scheduled Tribes and three years in case of Other Backward Classes candidates.)

**Note 1:-** The crucial date for determination of the age-limit shall be as advertised by the Staff Selection Commission.

**Note 2:-** The upper age-limit shall be relaxable upto five years for the candidates of the first batch of Ex-Agniveers.

**Note 3:-** The upper age-limit shall be relaxable upto three years for the candidates of Ex-Agniveers.

#### Educational and other qualifications required for direct recruits.

(7)

- Matric or equivalent from a board or university recognised by the Central Government or State Government or equivalent Army qualification in case of Ex-Army personnel.
- Physical and Medical Standard for recruitment to the post of Constable (General Duty) in Central Reserve Police Force shall be applicable as per the Scheme prescribed by the Central Government from time to time.
- Must qualify Physical Efficiency Test and written examination as prescribed for Constable (General Duty) mentioned in the advertisement for recruitment.

**Note:** Ex-Agniveers shall be exempted from Physical Efficiency Test (PET).



Whether age and educational qualifications prescribed for direct recruits will apply in the case of promotees.	Period of probation, if any.	Method of recruitment, whether by direct recruitment or by promotion or by deputation or absorption and percentage of the vacancies to be filled by various methods.
(8)	(9)	(10)
Not applicable	Two years	By direct recruitment. <b>Note :</b> Ten per cent. vacancies shall be reserved for Ex-Agniveers for recruitment to the post of Constable (General Duty).

In case of recruitment by promotion or deputation/ absorption grades from which promotion or deputation/ absorption to be made.	If a Departmental Promotion Committee exists, what is its composition.	Circumstances in which Union Public Service Commission is to be consulted in making recruitment.
(11)	(12)	(13)
Not applicable	<b>Group 'C' Departmental Confirmation Committee (for considering confirmation) consisting of :-</b> 1. Deputy Inspector General or Commandant -Chairman ; 2. Deputy Commandant - Member-I ; 3. Assistant Commandant - Member-II.	Not applicable.

[F. No. M.V. 1/2022-CRPF-Estt-DA-1(Agniveer)]

LALIT KAPOOR, Dy. Secy. (Pers.II)

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ  
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ  
(ಆರ್. ಶ್ರೀನಿವಾಸ)  
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ  
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ  
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು  
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

**PR-36**

**ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು ಶಾಸನ ರಚನೆ ಇಲಾಖೆ  
ಅಧಿಸೂಚನೆ**

ಸಂಖ್ಯೆ: ಸಂವ್ಯಶಾಇ 18 ಕೇನಿಪು 2023

ಬೆಂಗಳೂರು, ದಿನಾಂಕ: 19.04.2023.

ದಿನಾಂಕ: 06.04.2023 ರಂದು ಭಾರತ ಸರ್ಕಾರದ ಗೆಜೆಟ್‌ನ ವಿಶೇಷ ಸಂಚಿಕೆಯ Part-II-  
Section-3 Sub Section (i)ರಲ್ಲಿ ಪ್ರಕಟವಾದ the Indian Wireless Telegraphy (Cell Broadcasting  
Service for Disaster Alerts) Rules, 2023ರ Notification-GSR 278(E) ಅನ್ನು ಸಾರ್ವಜನಿಕರ  
ಮಾಹಿತಿಗಾಗಿ ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರದಲ್ಲಿ ಮರು ಪ್ರಕಟಿಸಲಾಗಿದೆ,-

**MINISTRY OF COMMUNICATIONS**

**(Department of Telecommunications)**

**NOTIFICATION**

New Delhi, the 6th April, 2023

**G.S.R. 278(E).**—In exercise of the powers conferred by sub-section (1) read with clause (v) of sub-section (2) of section 10 of the Indian Wireless Telegraphy Act, 1933 (17 of 1933), the Central Government hereby makes the following rules, namely:-

**1. Short title and commencement.**—(1) These rules may be called the Indian Wireless Telegraphy (Cell Broadcasting Service for Disaster Alerts) Rules, 2023.

(2) They shall come into force on the date of their publication in the Official Gazette.

**2. Definition** - In these rules, unless the contexts otherwise requires,-

- (a) "feature phone" means a mobile phone handset that may incorporate features such as the ability to access internet and store and play music but does not have the operating system feature of a personal computer;
- (b) "smart phone" means a mobile phone handset with a mobile operating system, which combines features similar to those of a personal computer operating system with other features useful for mobile or handheld use;
- (c) "cell broadcast" means a method of sending messages to multiple mobile telephone users in a defined area at the same time in a broadcast manner.

**3. Cell broadcast in new smart phones and feature phones--**(1) With effect after the six months of the commencement of these rules, no manufacturer shall manufacture or sell in India, any smart phone or feature phone without having following facilities, namely:-

- (a) mandatory support to receive cell broadcast messages in English & Hindi languages;
- (b) storing received cell broadcast messages for at least twenty-four hours, subject to the memory of the feature phone;
- (c) maintaining cell broadcast messages on the screen until acknowledged by the user;
- (d) alert sound, vibration and light duration for at least thirty seconds; and
- (e) mandatory mentioning of cell broadcast capability in feature list and user manuals to increase customer awareness.

(2) With effect after the nine months of the commencement of these rules, no manufacturer shall manufacture or sell in India, the smart phone or feature phone without having following facilities, namely:-

- (a) mandatory receipt of extreme cell broadcast alert messages and the mandatory receipt of severe cell broadcast alert messages may be explored; and
- (b) automatic read out of the cell broadcast messages in Indian accent, in English & Hindi languages, subject to the memory of the feature phones.

(3). With effect after the twelve months of the commencement of these rules, no manufacturer shall manufacture or sell in India, the smart phone or feature phone without having mandatory support to receive cell broadcast messages and automatic read out of such messages in Indian accent, in all Indian languages as per Eighth Schedule to the Constitution of India, subject to the memory of the feature phone.

**4. Cell broadcast in existing smart phones:** Within six months of the commencement of these rules, the manufacturer of mobile phone handset and the mobile handset operating system developer shall explore that the smart phone, which have been sold in India within four years prior to such commencement, have the facility to receive cell broadcast messages and auto read out feature, in all Indian languages as per Eighth Schedule to the Constitution of India.

[F. No. 15-2/2021-DM]

SANJAY KUMAR AGRAWAL, Dy. Director Gen. (Disaster Management)

ಭಾಗ ೪

ಕರ್ನಾಟಕ ರಾಜ್ಯಪತ್ರ, ಗುರುವಾರ, ೨೦, ಏಪ್ರಿಲ್, ೨೦೨೩

೬೬೫

ಕರ್ನಾಟಕ ರಾಜ್ಯಪಾಲರ ಆದೇಶಾನುಸಾರ  
ಮತ್ತು ಅವರ ಹೆಸರಿನಲ್ಲಿ  
(ಆರ್. ಶ್ರೀನಿವಾಸ)  
ಸಹಾಯಕ ಪ್ರಾರೂಪಕಾರ ಮತ್ತು ಪದನಿಮಿತ್ತ  
ಸರ್ಕಾರದ ಉಪ ಕಾರ್ಯದರ್ಶಿ  
ಸಂಸದೀಯ ವ್ಯವಹಾರಗಳು ಮತ್ತು  
ಶಾಸನ ರಚನೆ ಇಲಾಖೆ

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